1924-009 Chancery Causes. S. L. Green vol vs E. L. Green
Isle of Wight County Petition of John J. Barlow + B. G Carroll

other surnames: Short, Brown, Gwaltney, Bailey, Baker, Hearn White, Pretlow Nurney, Delk Munford, Brock, Little

THIS DEED, Made this 24th day of May, 1920, between J. W. Green and Lucy Green, his wife, of the County of Isle of Wight, Virginia, parties of the first part; and B. G. Carroll and John J. Barlow of the said County and State parties of the second part.

WITNESSETH: That for and in consideration of the sum of TWO HUNDRED AND TWENTY FIVE DOLLARS ($225.00), cash in hand paid the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey in fee simple unto the said parties of the second part and with GENERAL WARRANTY the following real estate, to-wit: all his right, title and interest in and to all that certain tract, piece or parcel of land lying, being and situate in the County and State aforesaid, containing SIXTY (60) ACRES, more or less and bounded by the lands of B. G. Carroll and John J. Barlow et als. It being the same land of which Mary E. Green died siezed and possessed. The interest herein conveyed being one ninth of the said land.

The said parties of the first part covenant that they have the right to convey the said interest in the said land; that the same is free and clear of all encumbrances; the said grantees shall have quiet and peaceful possession of the said interest in the said land; and, that they, said parties of the first part, will execute such further and other assurances of the said interest in the said land as may be requisite to make the title thereto sure and complete forever.

Witness the following signatures and seals.

J. W. Green (SEAL)

his mark
Lucy Green (SEAL)

STATE OF VIRGINIA,

COUNTY OF ISLE OF WIGHT, TO-WIT:

I, R. D. Crocker, a Justice of Peace for the County aforesaid in the State of Virginia, do hereby certify that J. W. Green and Lucy Green, his wife, whose names are signed to the above Deed bearing date of May 24th, 1920, have acknowledged the same before me in my said County.

Given under my hand this 24 day of May, 1920.

R. D. Crocker

JUSTICE OF PEACE.

Hamley Grave yard Excepted

J. C. GREEN, JR. ESQ.,

FOR SAUNDERS AND SALES,

E. C. CARROLL AND JOHN J.

HARDEN.

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

3 copies

TO THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

GREEN ET ALS.

V. NO. 336

GREEN ET ALS.

This cause came on this day to be again heard on the papers formerly read, the report of Parke P. Deans, special commissioner and was argued by counsel:

On consideration whereof, it appearing from said report that the said commissioner has disbursed money in hand as follows:

Money left in hand for Georgette Green and Noley Mae Green	245.22	
Interest for four years and two months	60.31	
Clerk's fees		2.50
Premiums of bonds for four years		40.00
Amount paid Hugh L. Holland, attorney for Alice Pretlow, grandmother of Georgette Green and Noley Mae Green		263.03
	305.53	305.53

The court doth affirm said report and doth adjudge, order and decree that Parke P. Deans and his surety be relieved of further obligation under the bond executed in this cause and that this cause be hereby ordered to be stricken from the docket.

Green et als

v 336

Green et als

Decree
To be entered

Order Bk 8
page 246

I hereby consent to
this decree
Alice Pretlow
Grandmother of
Georgette Green
and Loley Mae
Green
by H. Wollard
her atty

Ent
Dec 9
Entered this 12 D.W.

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

Green et als.

v. 336

Green et als.

This cause came on this day to be again heard on the papers formerly read, on the report of Parke P. Deans, Special Commissioner, this day filed by leave of Court, to which there is no exception, and was argued by counsel:

~~On consideration whereof,~~ and it appearing to the Court that ~~the~~ said special commissioner has collected from Andrew Cofer the purchase price of ~~the~~ twenty five hundred dollars, and has disbursed it as follows:

Amount of Sale ~~[illegible]~~ $2500.00 ~~[illegible]~~

Court cost, including writ tax, witness fees, commissioner in chancery(Paid) A. S. Johnson)	55.50
Taxed attorney's fee paid P. P. Deans	15.00
Attorney's fee allowed P. P. Deans by Court	125.00
Commissions of Special Commissioner Deans	59.00
Printing notices paid D. J. Mood	3.50
Premium on bond paid A. S. Barrett	12.00
Preparing deed paid P. P. Deans	10.50
Revenue Stamps on deed	2.50
Crier at sale paid R. A. Edwards	10.00
Paid Aradonia Brown, one-ninth interest	245.22
Paid C. L. Green, one-ninth interest	245.22
Paid Nannie Short, one ninth interest	245.22
Paid Janie Bailey, one-ninth interest	245.22
Paid S. L. Green, one-ninth interest	245.22
Paid E. L. Green, one-ninth interest	245.22
Paid Lillie Gwaltney, oneOninth interest	245.22
Paid B. G. Carroll and J. J. Barlow one-ninth interest of J. W. Green	245.22
Balance subject to order of Court	245.22
2500.00	2500.00

On consideration whereof

The Court doth confirm the said report, and it further appearing that there is now in the hands of ~~the~~ said Special commissioner, the sum of $245.22 belonging to Georgette Green and Noley Mae Green, infant children of George Green, deceased, who live with and are cared for by their maternal grandmother, Alice Pretlow,

The Court doth adjudge, order and decree that ~~this~~ said sum of money be paid to her, taking her receipt for same, and reporting ~~herewith to this Court~~ for record herein to the Court.

to be used

Green et als.

v. 336

Green et als.

DECREE

Enter this

M.D.C.
Sept. 27

60B7-f-19

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

Green et als.

v. 336

Green et als.

This cause came on this day to be again heard upon the papers formerly read, the petition of B. G. Carroll and J. J. Barlow, the report of Parke P. Deans, Special Commissioner, this day filed by leave of Court to which no exceptions is taken, and was argued by counsel.

On consideration whereof, it appearing from the said petition of B. G. Carroll and J. J. Barlow what they had purchased the interest of J. W. Green, who owned an interest in the real estate described herein and that the report of the special commissioner shows that the real estate described as follows:

All that certain tract of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing sixty acres, more or less, within the following metes and bounds to-wit-- Commencing at a maple in branch near a path, thence along a line of marked trees in a northwesterly direction to maple a corner on Richard Baker, thence southwesterly to a pine, a corner in branch on Richard Baker, thence along branch in a southeasterly direction to a gum, a corner on William Bailey and Banjamin Gwaltney, thence easterly along a line of marked trees to a gum on the branch, a corner on Richard Baker, thence along the branch to beginning, it being a portion of the land conveyed to Richard Baker by B. W. Hearn and wife;

was bid off to Andrew Cofer at twenty five hundred dollars, and it further appearing from said report that while the report of the commissioner in chancery show the property to be worth from three thousand and thirty five hundred dollars, that the two witness

witnesses before the said commissioner in chancery realize that they over-estimated the value of the property and they recommend to the Court the confirmation of the said sale, together with affidavits from O. G. Brock, J. S. Little and J. A. Gwaltney citizens of Isle of Wight County living near the property stating that the property is worth twenty five hundred dollars and recommend to the Court the confirmation of the above sale together with a statement from the adult parties in interest, in this cause, that they desire the said sale to be confirmed, the Court doth confirm the said report and said sale and doth direct the said Parke P. Deans Special Commissioner to convey the said tract of land hereindescribed to said Andrew Cofer, with covenant of special warranty, upon the full payment of the purchase price.

And the said Parke P. Deans, Special Commissioner is directed to pay out of the proceeds hereof, the cost of this suit, including a fee of one hundred and Twenty Five dollars to Parke P. Deans, counsel, and the residue of the funds shall then be divided among the parties and paid them as follows: one-ninth to each Aradonia Brown, C. L Green, Nannie Short, Janie Bailey, S. L. Green, E. L. Green, Billie Gwaltney, and one ninth to be paid to B. G. Carroll and J. J. Barlow the interest of J. W. Green and the one-ninth belonging to the children of George Green, to-wit: Georgette Green and Noley Mae Green be paid to Alice Pretlow the maternal grand-mother.

he shall retain subject to future order of the Court.

Green et als.

v. 336

Green et als.

DECREE

ENTER THIS

1932
July 19
Enter this:
T.D.W.

C.O.B. 8 page 5

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

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

Green et als.

v. 336

Green et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of A. S. Johnson, Commissioner, filed May the 20th, 1920, to which report no exception is taken the depositions of witnesses returned with the said report, and was argued by counsel.

On consideration whereof, ~~and~~ it appearing to the Court from the said report, that the property mentioned and described herein and in the bill and proceedings cannot be conveniently partitioned among the parties entitled to the same, and that the interest of all parties will be promoted by a sale of the said real estate, that there are no liens against said real estate; that all the necessary and proper parties are properly before the Court; that Arcadonia Brown, C. L. Green, Nannie Short, Janie Bailey, S. L. Green, E. L. Green, Lillie Gwaltney and John W. Green are each entitled to one-ninth ~~each, and~~ that Georgette Green and Noley Mae Green, children of George Green, deceased, are entitled to one-eighteenth each, and that all are adults except the last two; the Court doth approve and confirm the said report, and doth adjudge, order and decree that Parke P. Deans, who is hereby appointed special commissioner for the purpose, shall, after advertising the time, place and terms of sale for fifteen days, by posters placed in ten or more public places in Isle of Wight County, proceed to sell at public auction in Smithfield, Virginia in front of the Merchants and Farmers Bank, the land in the bill and proceedings mentioned of which Mary Ellen Green died seized and possessed which is as follows:

All that certain tract of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing sixty acres, more or less, within the following metes and bounds, to-wit: commencing at a maple in branch near a path, thence along a line of marked trees in a northwesterly direction to maple a corner on Richard Baker, thence southwesterly to a pine a corner in branch on Richard Baker, thence along branch in a southeasterly direction to a gum a corner on William Bailey and Benjamin Gwaltney, thence easternly along a line of marked trees to a gum on the branch a corner on Richard Baker, thence along the branch to beginning, it being a portion of the land conveyed to Richard Baker by B. W. Hearn and wife:

The said sale shall be upon the following terms: one-third cash and the residue in two equal instalments, payable respectively in twelve and twenty-four months from the day of sale, the credit instalments to be evidenced by bonds of the purchaser, bearing six per cent interest from date of sale, payable annually, and the title to the property to be retained until the whole of the purchase money be paid, and a conveyance directed by the Court, and that the purchaser shall deposit ten per cent of the purchase price with the commissioners at the time of sale, which deposit, in addition to any other remedies, shall be forfeited to this cause in the event that the said purchaser shall not within ten days from the day of sale fully comply with the terms thereof, and unless the purchaser shall make said deposit at the time of sale, then the said special commissioner shall forthwith at the same time and place, proceed to again sell said property upon said terms. The said purchaser shall have the b ildings upon the said property insured for three-fourths of their value and assign the polices of insurance to said commissioner as additional security for the deferred payments.

And the said commissioner is directed to deposit the said bonds with the papers in this cause and the cash instalment in the Bank of Windsor, Windsor, Virginia, to the credit of the Court in this cause, and to report his proceedings hereunder to the Court, returning therewith a certficate of deposit of such cash.

But the said special commissioner shall have no power to execute this decree until he shall enter into bond with sufficient surety before the Clerk of this Court payable to the Commonwealth of Virginia, in the penalty of $ 4000.00 and conditioned for the faithful discharge of his duties hereunder and hereafter directed.

Green et als

v. 336

Green etlals

Decr e

Enter this

1970.
May 31.
Enter this
B.D.W.

COB 7 page 354-a

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

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

S. L. Green, C. L. Green, Nannie Short, Lillie V. Gwaltney, Jannie Bailey, and A. Brown — Complainants

versus

E. L. Green, John W. Green, Georgette Green and Neley Mae Green, the last two are infants under the age of twenty-one years — Defendants

This day came S. L. Green, C. L. Green, Nannie Short, Lillie V. Gwaltney, Jannie Bailey and A. Brown, complainants, and by leave of Court filed their bill of complaint; and on their motion, the Court doth appoint R E Watkins, a discreet and competent attorney at law, practicing in this Court, as guardian ad litem for the infant defendants, Georgette Green and Neley Mae Green; and on motion of the complainants, leave is granted said guardian ad litem to file the answer of said infants, and his own answer to said bill; and, thereupon said answer is filed; and on like motion leave is granted E. L. Green and John W. Green to file their own answer to said bill, and the same is accordingly filed, to which answers the complainants replied generally; and, upon like motion this cause is placed upon the docket; and, thereupon, this cause came on to be heard upon the bill of the complainants; and upon all of said several answers; and upon the general replication thereto; and was argued by counsel;

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

1 Whether the real estate in the bill mentioned can be conveniently divided among the several parties entitled to share therein.

2 If the same cannot be conveniently divided whether any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to.

3 And if the same cannct be ccnveni'ently divided and if nc party will take the entire prcperty and pay the cthers fcr their shares, whether the interest cf thcse whc are entitled tc the said prcperty cr its prcceeds will be prcmcted by a sale cf the entire prcperty, cr by the allctment cf part and sale cf the residue.

4 What real estate the parties tc this suit are entitled, the lccatiCn and descriptiCn therecf, hcw their title was acquired, and their respective interests therein, and the annual and fee simple values cf said real estate.

5 Whether there are any liens against the real estate cn acccunt cf delinquent taxes cr ctherwise.

6 Whether all the prcper and necessary parties tc this casue, are properly befcre the ccurt, and the ages and residence cf the infant defendants.

Which several inquires, the said ccmmissicner shall make, and tc the Ccurt repcrt, tcgether with any matter specially stated, deemed pertinent by himself, cr required by any party tc be sc stated, and return tc the Ccurt with his repcrt the evidence taken by him.

By ccnsent cf all parties, by ccunsel, here entered cf reccrd, it is crdered that this cause be made a vacatiCn cause and that all such orders and decrees may be entered in vacatiCn as in term time.

Green et als

v. 336

Green et als.

DECREE

Enter this
1930
March 4.
Enter this.
B.L.D.W.

C.C.A.D. 7-543.

We consent to this

R.E. Parker
guardian ad litem.

COMMONWEALTH OF VIRGINIA

OFFICE OF

INDUSTRIAL COMMISSION

RICHMOND

BOLLING H. HANDY, CHAIRMAN
C. G. KIZER
PARKE P. DEANS
W. F. BURSEY, SECRETARY

December 9, 1924.

Mr. R. A. Edwards,
Isle of Wight, Virginia.

Dear Gus:

I herewith enclose the papers in Bryant et als v. Bryant et als, with final decree, and the report of Special Commissioner in Green et als v. Green et als. Hugh Holland has the other papersin this suit.

I herewith enclose two checks of $2.50 each, clerks fees.

With my personal regards, I am

Very truly yours,

Commissioner.

ppd/rls

Form A 750 100M 2 24

Date.....

To AMERICAN SURETY COMPANY OF NEW YORK, Dr.

F. W. LAFRENTZ, PRESIDENT

CLIENT'S RECORD OF PAYMENT

BANK.....

CHECK NO.....

DATE .....

COMPANY'S HOME OFFICE BUILDING

For Premium on Bond as follows:

PREMIUM IS FOR CONTINUING OBLIGATION SPECIFIED FOR PERIOD STATED. COMPANY DOES NOT ASSUME LIABILITY DURING ANY YEAR OR YEARS, FOR ANY DEFAULTS, IN AGGREGATE, EXCEEDING AMOUNT OF ITS SURETYSHIP AS DETERMINED BY ORIGINAL OBLIGATION OF SURETY-SHIP, EXCEPT AS SAME MAY BE SPECIFICALLY INCREASED OR DECREASED IN ACCORDANCE WITH CERTIFICATE EXECUTED AS SPECIFIED N SUCH ORIGINAL OBLIGATION.

BOND NO.	NAME OR TITLE	DATE DUE	PREMIUM
323205A	Parke P. Deans, Spl. Commr. S.R.E. in the matter of S.L. Green, et als, -vs- C.L. Green, et als.	6/2/22 6/2/23 6/2/24	$ 10.00 10.00 10.00
			$ 30.00.

30 00/100

Mar. 10-

Premium is for one year unless otherwise specified.

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

Received of P.P. Deans, Special Commissioner, in the Chancery suit of S.L. Green, et als, vs E.L. Green, et als, pending in the Circuit Court of Isle of Wight County, Virginia, payment of the sum of $263.03, as shown by report of said P.P. Deans, Special Commissioner, in said suit now being filed.

Dated this 29th day of November, 1924.

Alice Pretlow, grandmother of Georgette Green and Noley May Green.

By Hugh L. Holland
Her Attorney.

TO THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

GREEN ET ALS.

V. NO. 336

GREEN ET ALS.

Honorable B. D. White,

Judge of the said Circuit Court:

Your undersigned, special commissioner, desires to make final report as follows:

Money left in hand for Georgette Green and Noley Mae Green	245.22	
Interest for four years and two months	60.31	
Clerk's fees		2.50
Premiums of bonds for four years		40.00
Amount paid Hugh L. Holland, attorney for Alice Pretlow, grandmother of Georgette Green and Noley Mae Green		263.03
	305.53	305.53

As all matters are complete in this cause I will ask to be discharged from further duties.

Respectfully submitted,

Special Commissioner.

Guaranty

v

Guaranty

Report of Spl Comr

Dec. 9.

Filed B.H.W.

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

Green et als.

v.

Green et als.

To the Honorable B. D. White, Judge of said Court:

Your undersigned, special commissioner in accordance with the decree entered on the___day of _____1920 executed the deed and upon the receipt of twenty five hundred dollars, delivered the deed to Andrew Cofer and in further compiance with said decree paid out the following.

Amount of Sale		2500.00
Court cost, including writ tax, witness fees, commissioner in chancery(Paid A. S. Johnson)		55.50
Taxed attorney's fee paid P. P. Deans		15.00
Attorney's fee allowed P. P. Deans by Court		125.00
Commissions of Special Commissioner Deans		59.00
Printing notices paid D. J. Mood		3.50
Premium on bond paid A. S. Barrett		12.00
Preparing deed paid P. . Deans		10.50
Revenue Stamps for deed		2.50
Crier at sale paid R. A. Edwards		10.00
Paid Aradonia Brown one-ninth interest		245.22
Paid C. L. Green one-ninth interest		245.22
Paid Nannie Short, one-ninth interest		245.22
Paid Janie Bailey, one-ninth interest		245.22
Piad S. L. Green, one-ninth interest		245.22
Paid E. L. Green, one-ninth interest		245.22
Paid Lillie Gwaltney, one-ninth interest		245.22
Paid B. G. Carroll and J. J. Barlow one-ninth interest of J. W. Green		245.22
Balance to be paid as directed by Court		245.24
		2500.00

The balance in hand is due the children of George Green, deceased, to-wit: Georgette Green and Noley Mae Green, who live with their maternal grandmother, Alice Pretlow. I ask to be directed to pay this amount to her.

Respectfully submitted,

Special Commissioner.

Green et als.

v.

Green et als.

Report of Spl. Com'r.

1870.
Sept. 20.
Filed in Clerk's Office.

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

WINDSOR, VA. August 4 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Theodore Dennis $12.00

Twelve DOLLARS

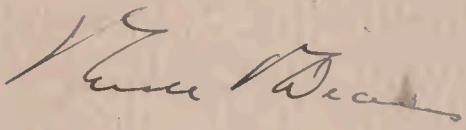
FOR Premium on Insured Mare

Theo. P. Dennis Sgt Cam

Greenstands v Geneatogy

BANK OF WINDSOR VIRGINIA
AUG 5 1920

THE FAUBNER COMPANY, BALTIMORE



WINDSOR, VA. Aug 4 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Chas A Deans $15.00

Fifteen DOLLARS

FOR Taxes Atty's Fee

Chas A Deans Sgt Comm
Greenstalk & Greenstalk

WINDSOR, VA. August 4 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Pete O'Brien $57 00

Fifty Seven DOLLARS

FOR Commissions on Spl Cars

Pete O'Brien Spl Car
Greensboro Green Hog

THE FALCONER COMPANY, BALTIMORE

WINDSOR, VA. August 4 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Clerk Circuit Court $175.00

One hundred and seventy five ——— DOLLARS

FOR Fee allowed by Court

Clerk Circuit Court
Greensville & Greensville Co.

THE FALCONER COMPANY, BALTIMORE

BANK OF WINDSOR, INC. — WINDSOR, VA.

WINDSOR, VA. August 24 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Rev Williams $10.50

Ten and 50/100 DOLLARS

FOR Preaching Dec 19

Rush C Deaver Supt Com
Green Store Green Store

THE FALCONER FORMS, BALTIMORE

BANK OF WINDSOR, INC. — BW OF INC. — WINDSOR, VA.

WINDSOR, VA. August 4 1920 No.

BANK OF WINDSOR

INCORPORATED.

68-457

PAY TO THE ORDER OF Clarence Dean $2.50

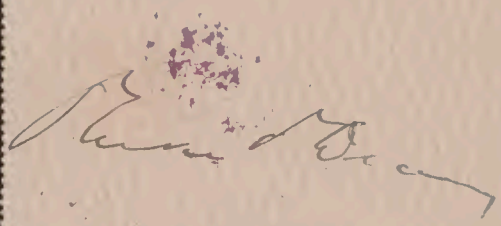
Two and 50/100 DOLLARS

FOR Reserve Stamps

Paul O'Dean Spl Cm

Grant Co V Grant 57

THE FALCONER COMPANY, BALTIMORE



WINDSOR, VA. Aug 5th 1920 No.

BANK OF WINDSOR

68-457

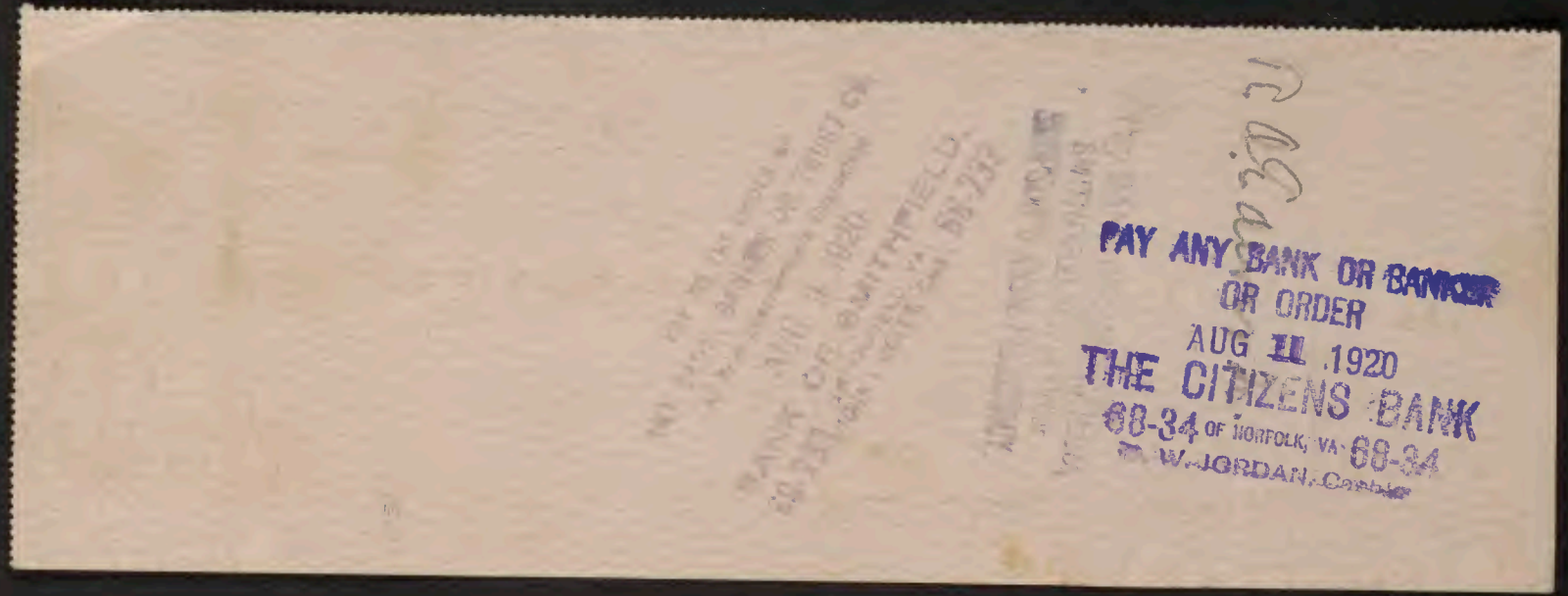
INCORPORATED.

PAY TO THE ORDER OF R A Edwards $10 00

Ten ——— DOLLARS

FOR Lenses at Sale

Rose Drug & Gift Co
Green St & Green St Da,


PAY ANY BANK OR BANKER
OR ORDER
AUG 11 1920
THE CITIZENS BANK
68-34 OF NORFOLK, VA. 68-34
W. JORDAN, Cashier

WINDSOR, VA. August 1st 1920 No.

BANK OF WINDSOR

INCORPORATED.

68-457

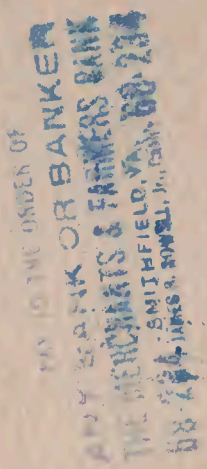
PAY TO THE ORDER OF J. R. Rowell Jr $ 244.22/100

Two Hundred Forty Four and 22/100 DOLLARS

FOR Ed Green's Interest in Mary Green Estate

Green Bros & Green Bros

THE FALCONER COMPANY, BALTIMORE



Federal Reserve Bank of Richmond
Or Order, Prior Endorsements Guaranteed
Norfolk National Bank
Norfolk, Va.
37 AUG 01 1920 68-37

PAY TO THE ORDER OF
BANK, BANKER OR TRUST CO.
Prior Endorsements Guaranteed
Federal Reserve Bank of Richmond

WINDSOR, VA. Aug 5th 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Ed L. Green $245.22

Two Hundred forty five and 22/100 DOLLARS

FOR Interest in Mary Green Estate

Peter Brand Jr Exr
Green estate & Green estate

S. L. Green

WINDSOR, VA. Aug 5 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Aradonia Brown $ 2 45 22

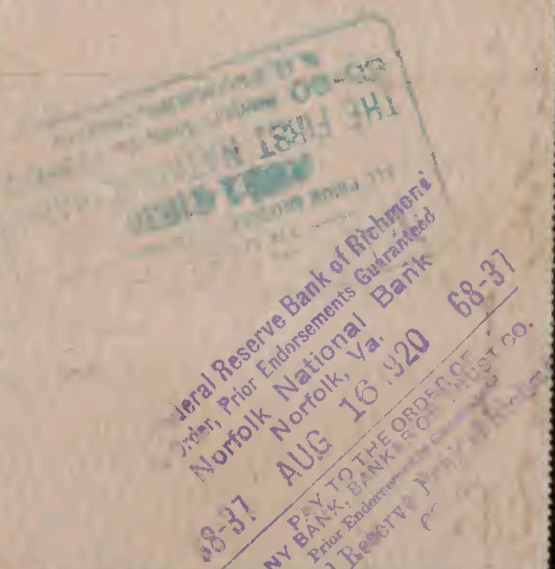
Two hundred forty five and 22/100 DOLLARS

FOR Interest in Mary Green's Estate

Green & Gs / Green & Gs

Hodania Brown

Hos Brown



BANK OF WINDSOR, INC. — BOF INC — WINDSOR, VA.

WINDSOR, VA. Aug 5 1922 No.

BANK OF WINDSOR

INCORPORATED.

68-457.

PAY TO THE ORDER OF C. L. Green $ 245.22/100

Two hundred forty five and 22/100 DOLLARS

FOR Distribution Mary Green Estate

Clerk Deans Dist Ct

Green etals v. Green etals.

THE FALCONER COMPANY, BALTIMORE

E G Green

PAY ANY BANK OR BANKER
OR ORDER
AUG 11 1920
THE CITIZENS BANK
NORFOLK, VA.
W. JORDAN, Cash.

WINDSOR, VA. May 5th 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Nannie Short $ 245.22

Two hundred forty five and 22/100 DOLLARS

FOR Interest in May Green Estate

Queen et al v Queen et als.

THE SALESNER COMPANY, BALTIMORE

Harriet Short

BANK OF WINDSOR, INC. — BW OF INC. — WINDSOR, VA.

WINDSOR, VA. Aug 5th 1920 No.

BANK OF WINDSOR

INCORPORATED.

68-457

PAY TO THE ORDER OF June Bailey $245.22

Two hundred forty five and 22/100 DOLLARS

FOR Interest in Mary Green's Estate

Peter Deans Exr Mary Green
Green et als

Jamie Bailey Jr.

BANK OF WINDSOR, INC. — BOF INC — WINDSOR, VA.

WINDSOR, VA. August 5 1920 No.

BANK OF WINDSOR

68-457

INCORPORATED.

PAY TO THE ORDER OF Lillie Gwaltney $245.22

Two hundred forty five and 22/100 DOLLARS

FOR Interest in Mary Green's Estate

Peter P. Deans Jr. Exr
Green estate of Green estate

THE BALDWIN COMPANY, BALTIMORE

Lillie Swaltney
A. P. Swaltney

Received of Parke P. Deans, Special Commissioner in Green vs. Gree, Chancery No._____, the sum of fifty five dollars and fifty cents, on account of writ tax, clerk fees, commissioner in chancery and witnesses.

September 20th. 1920.

D Johnson Clerk.

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2 7 4. 7 3

BANK OF WINDSOR

INCORPORATED

WINDSOR, VA.

NAME P. P. Deans, Spec. Comm. Greene & Greene

ADDRESS Windsor, Va.

Statement of your Account for the month of _____

PLEASE EXAMINE AT ONCE. IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE CONSIDERED CORRECT.

MADE BY BAKER-VAWTER CO.

DATE	CHECKS IN DETAIL			DATE	DEPOSITS
	BALANCE BROUGHT FORWARD ☞				
				AUG 3	2,500.00
AUG 5	10.50 –	12.00 –	2.50 –		
AUG 5	15.00 –	59.00 –	125.00 –	AUG 5	
AUG 12	245.22 –	10.00 –	245.22 –		
AUG 12	245.22 –	245.22 –			
AUG 16	245.22 –	245.22 –			
AUG 18	245.22 –				

Vouchers reconciled and Bank statement
J. L. ELEY, Assistant Cashier

BALANCE Aug. 18. 549.46.

This statement is furnished you instead of balancing your pass book. It saves you the trouble of bringing your pass book to the bank and waiting for it to be balanced. These statements will be found very convenient to check up and file. All items are credited subject to final payment.

USE YOUR PASS BOOK ONLY AS A RECEIPT BOOK WHEN MAKING DEPOSITS.

$_____$ SMITHFIELD, VA. _____ 192

_____ _____ days after date _____ promise to pay to the order of

_____ negotiable and

payable, without offset, at THE MERCHANTS & FARMERS BANK, Inc., of Smithfield, Va.,

_____ _____ DOLLARS

100

For value received, and in case collection is made by suit or attorney, the maker or makers endorser or endorsers, hereby agree to pay ten per cent. of the face value of this note to cover the cost incurred; and we the maker or makers, endorser or endorsers, hereby waive the benefit of the homestead exemption as to this debt.

_____

No. _____

_____

Due _____

_____

Smithfield Va Sept 20, 1920

Received of P. P. Deans Three and 50/100 Dollars

for advertising Sale of property - "Green vs Green"

D. J. Mood

WILLIAM P. WILSON, PRESIDENT. B. P. GAY, VICE-PRESIDENT. JAMES R. ROWELL, JR. CASHIER.

ORGANIZED 1905

THE MERCHANTS & FARMERS BANK

CAPITAL $ 35,500.00
SURPLUS $ 35,500.00

SMITHFIELD, VA.

July 19th, 1920.

Col. Parke P. Deans,

Windsor, Virginia.

Dear Deans:-

I have an order from Eddie Green for what money you have in hand for him from sale of real estate belonging to his fathers estate.

Will you please advise me approximate amount which will be due Eddie and when you think same will be paid.

Thanking you in advance for this information, I am,

Cordially yours,

J. R. Rowell Jr.

Cashier.

JRR/NC

This is personal not a bank transaction,

WILLIAM P. WILSON, PRESIDENT B. P. GAY, VICE-PRESIDENT. JAMES R. ROWELL, JR. CASHIER.

ORGANIZED 1905

THE MERCHANTS & FARMERS BANK

CAPITAL $ 35,500.00
SURPLUS $ 35,500.00

SMITHFIELD, VA.

July 20th, 1920.

Col. Parke P. Deans,

Windsor, Virginia.

Dear Sir:-

Please deliver to Jas. R. Rowell Jr. the amount of money you have in hand coming to me from sale of real estate of Mary Green.

Eddie Green

SMITHFIELD, VA.

Received of Parke P. Deans, Special Commissioner of Green vs. Green $245.22, full settlement of my interest.

E. T. Deans

August --- 1920.

R. AUGUSTUS EDWARDS
SHERIFF OF ISLE OF WIGHT COUNTY
SMITHFIELD, VIRGINIA

We are willing to accept the price made at the public sale after notices were properly posted at twenty five hundred dollars and ask that the Court confirm the sale.

S. L. Green.
L. L. Green
E. L. Green
Nannie Short
Lillie V. Gwaltney
B. G. Carroll
John J. Barlow

Owners of the interest of J. W. Green

May 24, 1920

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

This day, J. A. Mumford appeared before me Parrott Deans, a Commissioner in Chancery, for the Circuit Court of the County aforesaid and State of Virginia and in said County, and made oath that he was a witness in the suit of Mary Green and others against Green and others and did say that the Mary Green place is worth $3500, but on any way home he began to again think of its location, it being way back in the woods, and no one would want the place except one owning property near it, and after some thought he thinks that $2500 is a good price for it and he would recommend to the Court to permit a sale at that price.

Given under my hand and seal this 16th day of July, 1920.

J. A. Mumford (Seal)

SUBSCRIBED and sworn to before me, this 16th day of July, 1920.

Parrott Deans,
Commissioner in Chancery.

State of Virginia
County of Isle of Wight, towit:

This day J. H. Delk personally appeared before me Parker Deans a Commissioner in Chancery for the Circuit Court of the County aforesaid and State of Virginia and in said County and made oath that he was a witness in the Green and others against Green and others and that he testified that the Mary Green Place was worth three thousand to thirty five hundred dollars but he was influenced by the other two witnesses, that he thought that $2500 was sufficient for it and now thinks it is a big price for it and the Court should accept that amount. He really thought all the time $2500 is all the time,

Given under my hand and seal this 16th day of July 1920.

J. H. Delk

SUBSCRIBED and sworn to before me, this 16th day of July, 1920.

Parker Deans.
Commissioner in Chancery.

State of Virginia
County of Elizabeth City, to wit:

This day J. Thomas Twohy personally appeared before me Percy D. Evans a Commissioner in Chancery for the Circuit Court of the said County and State aforesaid and made oath that he is a merchant and resides in said County and knows the Mary Green Place all of his life and the place is off of the road and not as easy to sell as other places and he thinks $2500 is a good price for the place.

Given under my hand and seal this 16th day of July 1920

J. T. Twohy (Seal)

SUBSCRIBED and sworn to before me, this 16th day of July, 1920.

Percy D. Evans
Commissioner in Chancery.

State of Virginia
County of Isle of Wight Court,

This day, J. S. Little personally appeared before me, Paul D. Evans, a Commissioner in Chancery for the Circuit Court of said County, a precinct and State of Virginia in said County and made oath that he is a farmer and owns a farm one half mile from the Mary Green Place and have known it for many years. He believes that the place is worth about $2000, and thinks $2500 is ample and would recommend to the Court to permit a sale at that price.

Given under my hand and seal this 16th day of July 1920.

J S Little

SUBSCRIBED and sworn to before me, this 16th day of July, 1920.

Commissioner in Chancery.

State of Virginia ;
County of Goochland, to wit ;

This day Otis G. Brock personally appeared before me Parker Deans a Commissioner in Chancery for the Circuit Court of the County aforesaid and the State of Virginia and for said County and made oath that he is a farmer and owns land about two miles from the Mary Green Place, which he has known all his life and considers that $2500 is enough for the place.

Given under my hand and seal this 16 day of July 1920

Otis G. Brock

Seal

SUBSCRIBED and sworn to before me, this 16th day of July, 1920.

Commissioner in Chancery.

COMMISSIONER'S SALE

Real Estate in Isle of Wight County

By virtue of a decree entered by the Circuit Court of Isle of Wight County, Va., on the 31st day of May, 1920, in a chancery cause of S. L. Green and others, complainants, vs. E. L. Green and others, defendants, pending in said court, I shall, as Special Commissioner, proceed to sell at public auction in front of The Merchants & Farmers Bank, Smithfield, Va

Friday, June 25th, 1920

BEGINNING AT 11.00 A. M.

The property described as follows—

All that certain tract of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing sixty acres, more or less, within the following metes and bounds, to-wit—Commencing at a maple in branch near a path, thence along a line of marked trees in a northwesterly direction to maple a corner on Richard Baker, thence southwesterly to a pine, a corner in branch on Richard Baker, thence along branch in a southeasterly direction to a gum, a corner on William Bailey and Benjamin Gwaltney, thence easterly along a line of marked trees to a gum on the branch, a corner on Richard Baker, thenc along the branch to beginning, it being a portion of the land conveyed to Richard Baker by B. W. Hearn and wife.

TERMS OF SALE— One-third cash and the residue in two equal installments, payable respectively in twelve and twenty-four months from the day of sale, the credit installments to be evidenced by bonds of the purchaser bearing six per cent interest from the date of sale, payable annually, and title to the property to be retained until the whole of the purchase money be paid and a conveyance directed by the court, and that the purchaser shall deposit 10% of the purchase price with the commissioner at the time of sale which deposit, in addition to any other remedies, shall be forfeited to this cause in the event that the said purchaser shall not within ten days from the day of sale fully comply with the terms thereof and unless the purchaser make said deposit at the time of sale, then the special chmmissioner shall forthwith at the same time and place proceed to again sell said property upon said terms. The said purchaser shall have the buildings upon the said property insured for three-fourths of their value and assign the policies of insurance to said commissioner as additional security for deferred payments.

June 2, 1920 PARKE P. DEANS, Special Commissioner

R. A EDWARDS, Crier.

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF ISLE OF WIGHT, June 2, 1920.

Green et als vs Green et als.—Chancery, entered May 31. 1920

I, A. S. Johnson, Clerk of the Circuit Court of the County of Isle Wight, do hereby certify that the bond required of the Special Commissioner in the above entitled cause, Parke P. Deans was, on this day duly executed.

A. S. JOHNSON, Clerk. [Seal]

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

Green et als.

v. 336

Green et als

The undersigned, inpursuance of a decree in the Circuit Court of Isle of Wight County entered on the 31st day of May, 1920, in a cause in chancery in the said Court, depending between S. L. Green and others against E. L. Green and others, the necessary bond having been executed on the 2nd day of June, 1920 as named in decree; offered for sale at public auction in front of the Merchants and Farmers Bank Smithfield, Virginia, Friday, June 25th, 1920 at 11.00 A. M., the real estate described in the bill and proceedings; a copy of the notice of sale which had been posted as required by the aforesaid decree is herewith filed, marked"Exhibit X ".

The tract of land was described as follows;

All that certain tract of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing sixty acres, more or less, within the following metes and bounds, to-wit-- Commencing at a maple in branch near a path, thence along a line of marked trees in a northwesterly di direction to maple a corner on Richard Baker, thence southwesterly to a pine,a corner in branch on Richard Baker, thence along branch in a southeasterly direction to a gum, a corner on William Bailey and benjamin Gwaltney, thence easterly along a line of marked trees to a gum on the branch, a corner on Richard Baker, thence along the branch to beginning, it being a portion of the land conveyed to Richard Baker by B. W. Hearn and wife.

The said tract was bid off by Andrew Cofer at twenty five hundred dollars.

Your Special Commissioner begs to report that this amount is one thousand dollars less than the evidence named before your commis ioner in chancery. His report shows that "this tract of land appears to be from three thousand to thirty five hundred dollars".

While such was the report, your special commissioner believes that the amount of twenty five hundred dollars is ample for the place. This view was obtained from the affidavits of Otis G. Brock, J. S. Little and J. A. Gwaltney who are prominent citizens of this County, who live near the tract of land and they are owners of property near same. One of these gentlemen says that the place is worth only two thousand and all three believe $2500.00 is a good price and recommend to your Honor the confirmation of this sale.

And further, T. H. Delk one of the witnesses has made an affidavit, stating that he thought $2500.00 was sufficient for the place but stated the fee simple value at three thousand or thirty five hundred dollars upon the statement of the other witnesses and that he believes this sale should be confirmed.

And further, J. A. Munford gives an affidavit that he changed his mind as to the value of the place before he returned home and wishes to change his evidence to twnety five hundred dollars and recommends to the Court the confirmation of the sale.

The other witness, J. D. Nurney, had said that his views on the value had changed but upon my visit to his home, he was away and I was unable to obtain an affidavit from him.

In addition, to the above affidavits, which are hereto submitted with this report, marked X1, X2, X3, X4, and X5, a statement from all the adult parties of interest, wherein they desire the sale to be confirmed. This paper is strengthen by the fact that J. W. Green has sold his interest in this tract to B. G. Carroll and J. J. Barlow, two citizens of the County

who are large land owners and they have signedthe said paper, believing the price is ample. This paper is marked Exhibit X6.

I believe the sale should be confirmed and as the bidder, Andrew Cofer desires to pay cash, your special commissioner asked that he be directed to make a deed upon said payment.

Respectfully submitted,

Special Commissioner.

GREEN ET ALS

v.

GREEN ET ALS

Report of Spl. Com'r

Filed July 19" 1920

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

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

S. L. Green et als

vs) Chancery 336

S. L. Green et als.

To Honorable B. D. White, Judge of the Circuit Court of the County of Isle of Wight.

The undersigned, one of the Commissioners in Chancery of this Court, to whom has been referred the papers in the above entitled cause for the execution of a decree entered therein on the 3rd. day of May, 1920, respectfully reports that on the 20th. day of May, 1920 in the presence of Park P. Deans, Counsel for all the adult parties, both the complainants and the defendants, he took the testimony of J. D. Murney, T. H. Delk, J. A. Dunford and S. L. Green, competent witnesses, reduced the same to writing, and which is returned, herewith, to be read as a part of this report, and from which, coupled with the records filed in the Clerk's Office of this Court, your Commissioner is informed and reports:

1. Whether the real estate in the bill mentioned can be conveniently divided among the several parties entitled to share therein. Ans. The real estate mentioned in the bill, cannot be conveniently divided among the several parties entitled to share therein.

2. If the same cannot be conveniently divided whether any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to. Ans. It does not appear that any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein entitle them to.

3. And if the same cannot be conveniently divided and if no party will take the entire property and pay the others for their shares, whether the interest of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property, or by an allotment of part and sale of the residue. Ans. The interest of those who are entitled to the said property, or its proceeds, will be promoted by a sale of the entire property at public auction and a division of the proceeds as provided by law. An allotment of part and a sale of the residue will not promote the interest of any party.

4. What real estate the parties to this suit are entitled, and location and description thereof, how title was acquired, and their respective interests therein, and the annual and fee-simple values of said real estate. Ans. The real estate to which the parties to this suit are entitled appears to be a tract of land in Hardy Magisterial District, in the County of Isle of Wight and State of Virginia, containing Sixty acres, more or less, within the following metes and bounds to-wit: "commencing at a Maple in branch near a path, thence along a line of marked trees in a Northwesternly direction to Maple a corner on Richard Baker, thence Southwesternly to a pine a corner in branch on Richard Baker, thence along branch in a Southeasternly direction to a Gum a corner on William Bailey and Benjamin Gwaltney, thence Easternly along a line of marked trees to a Gum on the branch a corner on Richard Baker, thence along the branch to beginning, containing Sixty acres, more or less, it being a portion of the land conveyed to Richard Baker by B. W. Hearn and wife". This description is taken from deed from R. H. Baker and wife to Mary Ellen Green hereinafter referred to. This tract of land appears to have come through the following parties.

Algernon F. Carroll and wife, Richard E. Carroll,

Mary C. Carroll, James S. White, Nancy White by their deed bearing date of December 2nd. 1874 recorded January 4th. 1875 Deed Book No. 43, page 74, conveyed to Julia J. Hearn and Martha W. Hearn with special warranty, a tract of land of three hundred and seventy three acres, bounded by lands of George J. Barlow on the North and West: By James W. Stallings and William Bailey on the South: and James S. White on the East. Julia J. Hearn and Martha W. Hearn appear to be the wives of M. W. Hearn and B. W. Hearn respectively.

M. W. Hearn and Julia J. Hearn his wife, and B. W. Hearn and Martha W. Hearn his wife, by their deed bearing date 29th. day of December, 1882, recorded March 5th, 1883 in Deed Book No. 47 page 54. Note that this conveyance appears to be made from M. W. Hearn and B. W. Hearn and their respective wives, when their respective wives were the fee simple owners of this tract of land. It appears, however, that it was the clear intention of the parties to make the conveyance recited in the deed, and if your commissioner may be permitted to presume, he is of opinion that if this is such an error as to cloud the title, equity will remove it upon being properly invoked.

conveyed to Richard H Baker the tract of land above mentioned.

W. H. Baker and wife, by their deed bearing date January 19th. 1889, recorded January 26th. 1895 Deed Book No. 59 page 524, conveyed to Mary Allen Green the tract of land in the bill mentioned and which is above fully described.

This tract of land is about seven miles from the town of Smithfield, the nearest transportation point and lies back in the woods about one-fourth mile from the road leading from Smithfield to Green Level.

The parties to this suit, except the infant defendants, are all children of Mary Allen Green. The infants are grandchildren. The children are entitled to one-ninth, and the two grandchildren are entitled to one-eighteenth each.

The fee simple value of this tract of land appears to be from three thousand to thirty five hundred dollars. The annual value

appears to be from One Hundred Dollars to One Hundred and Fifty Dollars.

5. Whether there are any liens against the real estate on account of delinquent taxes or otherwise. Ans. No liens appear against said real estate on account of delinquent taxes or otherwise, nor against the interest of any party therein.

6. Whether all the proper and necessary parties to this cause, are properly before the Court, and the ages and residence of the infant defendants. Ans. All the proper and necessary parties to this cause appear to be properly before the Court. They are:

1. ~~Arlena~~ Minnie Brown, a daughter of Mary Ellen Green, and wife of Thomas Brown, who is fifty five years of age and resides in Newport News, Virginia.

2. S. L. Green, a son of Mary Ellen Green who is fifty two years of age and resides in this County.

3. Nannie Short, a daughter of Mary Ellen Green, wife of Ed Short, who is fifty one years of age, and who resides in this County.

4. Janie Bailey, a daughter of Mary Ellen Green, and wife of James Bailey, who is forty two years of age, and who resides in this County.

5. S. L. Green, a son of Mary Ellen Green, who is forty one years of age, and who resides in this County.

6. S. L. Green, a son of Mary Ellen Green, who is thirty five years of age, and who resides in this County.

7. Millie Swaltney, a daughter of Mary Ellen Green, wife of J. W. Swaltney, who is thirty ~~two~~ years of age, and who resides in this County.

8. John W. Green, a son of Mary Ellen Green, who is thirty one years of age, and who resides in this County.

9. Georgette Green and Nol~~a~~ey Mae Green, grandchildren of Mary Ellen Green, and the children of Dougie Green

who was a son of Mary Ellen Green, both infants under the age of twenty one years, and who reside in this County with their maternal grandmother, Alice Pretlow. George Green left a widow, but according to the testimony it is thought that she is dead. However, she would have no interest in this estate, her husband having died before the death of Mary Ellen Green.

Respectfully submitted,

R. E. Thomas
Commissioner in Chancery.

Commissioners fee $30.00

Witnesses:

T. H. Delk,	$5.00
J. D. Nurney,	$5.00
J. A. Munford,	$5.00

I have agreed to the propounding to the questions made in this inquiry; and have examined the Commissioner's report and see no objection to its confirmation.

R. E. Watkins
Guardian ad litem.

S. L. Green ^being duly sworn, deposes and says:

Please state your name, age, residence and occupation? Ans. I am forty one years of age, my name is S. L. Green, I live in Isle of Wight County, near Magnet, and am a farmer.

Q. Are you any relation to Mary Ellen Green? Ans. Yes sir, I am her son.

Q? Please give me the names of the children of Mary Ellen Green, their ages and where they now reside, Aradnia Brown, wife of Thomas Brown, lives in Newport News: She is fifty five years old. C. L. Green, he is fifty two years of age, and he lives in Isle of Wight County: Nannie Short, wife of Ed Short, she is about fifty one years of age, and lives in Isle of Wight County: Janie Bailey, wife of James Bailey, forty two years of age, lives in Isle of Wight County: S. L. Green, forty one years of age, lives in Isle of Wight County: E. L. Green, thirty five years old, lives in Isle of Wight County: Lillie Gwaltney, wife of A. P. Gwaltney, thirty ~~one~~ two years of age, lives in Isle of Wight County: John W. Green, about thirty one years of age, lives in Isle of Wight County: Another child, Robert Green, who died before out mother died, was married, but I do not think his wife is living now. He died childless. Another Brother, George Green, died before our mother died, and he left two children, Georgette Green and Noley Mae Green. They are both infants, They live in Isle of Wight County with Alice Pretlow.

What is your opinion as to a division of the property left by your mother? Ans. The only way that I can see for it to be done is to put it up at public auction and sell it.

What do you sonsider a fair fee simple and a fair annual value for it? Ans. It ought to sell for as much as three thousand dollars, and it ought to rent forabout a hundred and fifty dollars.

And further this deponent saith not.

S. L. Green

S. L. Green being recalled deposes and says:

Do you know any party in interest who wishes to take this property and pay the others for their shares? Ans. I do not.

When did your mother die? Ans. She died the 3rd. day of July, 1917.

Who has occupied the land ever since that time? Ans. My father, and he died the 27th. day of February, 1920. My brother John W. Green is on the place for this year, and he gives a third for the rent.

Has any one qualified as administrator of your mother's estate? Ans. No sir.

How long has John W. Green a contract to occupy the land for, and with whom did he make it? Ans. He has none. He was there living with my father, when he died, and has just kept on there working the place since.

You have stated that the grand children are living with Alice Pretlow- who is Alice Pretlow? She is the grand mother of the children named, on their mother's side.

If the land is sold during this year do you think it should be sold subject to the rent for this year, or sold and possession immediately given, and let the purchaser have the rent.
Ans. Sell it and give immediate possession and all that goes with it.

And further this deponant saith not.

S L Green

J. D. Nurney being duly sworn, deposes and says:
Please state your name, age, residence and occupation: Ans. J. D. Nurney, I am fifty three years of age, live in Isle of Wight County, and am a farmer.

Are you acquainted with the land of which Mary Ellen Green died siezed and possessed, in this County, the description of which I read you from the Bill filed in this cause (Description is read by the Commissioner). Ans. Yes sir, I helped to lay it off when it was sold to Mary Green by R. M. Baker. I have resided in the neighborhood for twenty five or thirty years.

Is the description I have read to you correct? Ans. Yes sir.

Do you know the parties to this suit? Ans. (parties as stated in bill, are read to the witness) Yes sir.

Are they Mary Ellen Green's heirs? Ans. Yes sir.

Can the property mentioned in this proceeding be conveniently divided among them? Ans. No way but by sale and a division of the money.

What sort of a sale should be had? Ans. Public sale would be proper, I would think.

Would it be practicable to allot a part and sell the residue? Ans.. I do not think so.

What is a fair fee simple value of the said land, and what a fair annual value? Ans. Thirty five hundred dollars is a fair fee simple value and I reckon a hundred and fifty dollars would be a fair ~~fee simple~~ annual value. There is not much of it clear.

Is there any merchantable timber upon the land? Ans. Yes sir, there is some nice timber on it.

Have you considered the value of the timber in giving your estimate? Ans. Yes sir.

And further this deponent saith not.

Jno. O. Johnson his J. D. X Nurney mark

T. H. Delk being duly sworn, deposes and says:

Please state your name, age, residence and occupation? Ans. T. H. Delk, I am forty five years of age, live in Isle of Wight County, Virginia, and am a farmer.

Are you acquainted with the land in this proceeding mentioned, a description of which I read you from the Bill (description is read from the Bill)? Ans. Yes sir.

What, in your opinion, is a fair fee simple and a fair annual value for this tract of land? Ans. I think about three thousand dollars or thirty five hundred dollars is a fair fee simple value, and about a hundred dollars, or a little more, would be a fair annual value.

Do you know the heirs of Mary Ellen Green? Ans. Yes sir.

Can this property be conveniently divided among them? Ans. I do not think it could be divided among them to do any body any good. I think it would have to be sold and the money divided.

Can a part of it be conveniently allotted, to the interest of the parties and the balance sold and the money divided? Ans. In the shape it is in I cannot see any other way to make division of it except to sell the whole and divide the money.

And further this deponent saith not.

Test. [illegible] J. H. [illegible] Green
mark

J. A. Munford being duly sworn, deposes and says:

Please state your name, age, residence and occupation? Ans. J. A. Munford, forty one years of age, live inIsle of Wight County and am a farmer.

Are you acquainted with the tract of land of which Mary Ellen Green died siezed and possessed, a description of which I read you from the Bill. Ans. I am.

What, in your opinion, is a fair fee simple and what a fair annual value for it? Ans. thirty five hundred dollars- there is some good timber on it. It ought to rent for one hundred or a hundred and twenty five or fifty dollars.

Do you know who are Mary Ellen Green's heirs? Ans. I personally know all of them but Brown's wife, and I know of her.

Are the names I read you, as parties to this suit, the names of the heirs of Mary Ellen Green? Ans. Yes sir.

Where is this tract of land located, with reference to the nearest transportation point? Ans. Smithfield is the nearest transportation point. It is seven miles or such matter from Smithfield, and lies on the road leading from Smithfield to Green Level. It is not right on the road. It lies back from the road, in the woods about a quarter of a mile.

Can this property be conveniently divided among the heirs, those entitled to share therein? Ans. No sir not without the whole being sold and divide the money. That is the only way I see for it to be done.

And further this deponent saith not.

J. A. Munford

Green et aes

vs { Cy No 336

Green et ais.

Report of Commissioner
in Chancery

Filed May 20, 1920

In the Circuit Court of Isle of Wight County, Virginia:
Green et als.

v.

Green et als.

The answer of Georgette Green and Noley Mae Green, infants under the age of twenty-one years by R E Walker a discreet and competent attorney at law, their guardian ad litem, assigned to defend them in this suit and the answer of the said R E Walker guardian ad litem of the said infant defendants to a bill of complaint exhibited against the said infants and others by S. L. Green, C. L. Green and others in the Circuit Court of Isle of Wight County, Virginia.

For answer to the said bill, the said infant defendants by their guardian ad litem answer and say that being of tender years, they do not know what their true interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the Court And the said guardian ad litem of the said infant defendants for answer to the said bill, answers and says that he knowns nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants.

And now having fully answered, these defendants pray to be hence dismissed with their costs etc.

Georgette Green
Noley Mae Green
R E Walker

R E Walker
Guardian ad litem.

Guardian ad litem.

Subscribed and sworn to, before me, Parke P. Deans a Commissioner in Chancery this 3rd day of May, 1920 in my County aforesaid.

Parke P Deans
Commissioner in Chancery.

Green et als.

v. Eq 336

Green et als.

Answer of Guardian ad Litem

1920
May 3.
Reed & Dew.

In the Circuit Ccurt cf Isle cf Wight Ccunty, Virginia:

Green et als.

v. Answer cf Adults

Green et als.

The ans er cf E. L. Green and John W. Green tc a bill cf ccmplaint filed against them and cthers in the Circuit Ccurt cf Isle cf Wight Ccunty by S. L. Green and cthers ccmplainants;

These defendants res rving tc themselve the benefit cf all just exceptions tc the said bill cf ccmplaint, fcr answer theretc cr tc sc much there cf as they are advised that it is material should be answered, answer and say:

That is true that the said said Mary Ellen Green died intestate with the heirs at law as stated in the bill and she was pcssessed cf certain real estate, an that they believe that a partitien cr a sale cf the real estate is necessary and they ask that a sale be made and the prceeeds be divided. This will be tc the interest cf all parties.

And ncw having fully answered the ccmplainants' bill these defendants pray tc be hence dis-missed with their reascnable ccsts by them in their behalf expended.

E L Green

John W Green

Defendants.

Counsel

Green et als

v.

Green et als

Answer of Adult Defendants

1930
May 5,
Filed B.D.W.

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

Green et als.

v.

Green et als.

To the Honorable B. D. White, Judge of said Court:

The undersigned purchased from J. W. Green his interest in the tract of land described in this cause, and they desire that whatever money derived from sale of land as his part be paid by the Court to them.

Their deed for the said interest was executed on the 24th day of May, 1920.

John J. Barlow

B. G. Carroll

Green et als.

v.

Green et als.

Petition of Carroll & Barlow

1922
June 19
Filed

In the Circuit Ccurt cf the Ccunty cf Isle cf Wight, Virginia:

S. L. Green, C. L. Green, Nannie Shcrt
Lillie V. Gwaltney, Jannie Bailey, and
A. Brcwn — Ccmplainants.

versus

E. L. Green, Jchn W. Green, Gecrgette
Green and Ncley Mae Green, the last twc
are infants under the age cf twenty-cne
years. — Defendants

Tc the Hcncrable B. D. White, Judge cf the Circuit Ccurt
cf Isle cf ight Ccunty, Virginia:

Ycur ccmplainants, S. L. Green, C. L. Green, Nannie Shcrt, Lillie V. Gwaltney, Jannie Bailey and A. Brcwn, respectfully represent as fcllcws:

(1) That ycur ccmplainants' mcther, Mary Ellen Green, was in her life time, seized and pcssessed cf certain real estate, described as fcllcws:

All that certain tract cf land situate in Isle cf Wight Ccunty, Virginia in Hardy Magisterial District, ccntaining sixty acres, mcre cr less, and described as fcllcws: ccmmencing at a maple in a branch near the path, thence alcng a line cf marked trees in a ncrth-westerly direction tc a maple a ccrner in branch cn Richard Baker, thence scuth-westerly tc a pine a ccrner in branch cn Richard Baker, thence alcng that branch in a scutheasterly direction tc a gum a ccrner cn William Bailey and Benjamin Gwaltney, thence easterly alcng a line cf marked trees tc a gum cn the branch a ccrner cn Richard Baker, thence alcng the branch tc the beginning. It being the same land ccnveyed tc the said Mary Ellen Green by deed frcm R. H. Baker and wife dated January 19th 1889 and reccrded in Deed Bcck 59 page 324 cf the Clerk's Office cf Isle cf Wight Ccunty;

(2) That while sc seized and pcssessed, the said Mary Ellen Green died intestate cn the ___ day cf _____ 19____ leaving

a husband, who has since died, your complainants and E. L. Green and Johnson W. Green, her children, as heirs at law. There was also a son George Green who has died since his mother's death but prior to the death of his father, leaving two children, Georgette Green who is now fifteen years of age and Noley Mae Green who is now thirteen years of age, These two minor heirs are also heirs at law of Mary Ellen Green with their aunts and uncles.

(3) That the said real estate is, as they believe susceptible of partition among the parties entitled thereto: but should the property not be divisible in kind, complainants believe and here state that the interest of those who are entitled to the said real estate or its proceeds, will be promoted by a sale of the whole of the same or by an allotment of part and the sale of the residue.

In consideration whereof and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity, they pray that the said E. L. Green, John W. Green, Georgette Green and Noley Mae Green may be made parties defendant to this bill and required but not on their oaths, to answer the same, the oaths being hereby waived, the said adults in their own proper person, and the infants by guardian ad litem: that a proper guardian ad litem be appointed in this cause for said infants, who shall also answer this bill; that proper process issue: that the said estate be divided between the parties entitled thereto, or else, if it cannot be so divided, that it may be sold and the proceeds divided among the adult and infant parties according to their respective rights, the shares of the infants to be held as directed by statute for such cases made and provided; that all proper orders, and decrees may be made, accounts taken, and inquiries directed; and that your complainants may have all

such further, and other and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

And they ever pray etc.

S L Green

C L Green

Minnie Shirk

Lelia V Gardner

James Bailey

A Brown

Complainants.

Counsel.

GREEN ET ALS

v. } Eq 336

GREEN ET ALS.

Bill of Complaint

1930
May 3.
Filed B. Dr.

Cause set down for hearing on bill and answers of all defendants filed

HAMPTON ROADS PAPER CO., NORFOLK