

1926-003 Chancery Causes. Katie Hearn, admx of Virgenius Darden vs S. J. Edwards & al
Dale of Wight County

Folder 1
452

Other surnames: Dick, Lyon
Chapman, Williams, Whitley,
Johnson, [Merchants & Farmers
Bank, Smithfield, Virginia], Pitt
[Bank of Smithfield], Genier,
Philips, [Philips & Company],
[Farmers Manufacturing Company]
Boyce, [Virginia Manufacturing
Company], Cox, Bell, Delk,
[Merchant & Farmers Bank,
Incorporated], Warren, Betts
[C. S. Betts & Company], Rowell,
Joyner, Short, [American
Peanut Harvester Corporation
[T. J. Cox & Son], Phillips
[Phillips & Company], [D. W.
Chapman & Company], Stallings,
Barlow, Cofer

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

Katie Hearn, nee Darden, administratrix
of Virginius Darden, dec'd.

V) Chancery # 452

S.L. Edwards, S. G. Edwards, A.S. Johnson,
trustee, Merchants and Farmers Bank,
C. W. Warren, George F. Whitley, trustee,
H.H. Williams, Sub. trustee, Bank of
Smithfield, George Lee Edwards, trustee,
George Lee Edwards, A.C. Lyon, Linwood
Edwards, trustee, George W. Delk, E.H.
Williams, trustee and G.G. Genier.

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

The undersigned, one of the Commissioners
in Chancery for the Circuit Court of the County of
Isle of Wight, to whom was referred the papers in the
above entitled cause for the execution of a decree
entered therein on the 30th day of September, 1925,
respectfully reports that on the 30th day of October,
1925, at his office at Isle of Wight in the presence
of C. F. Whitley, Attorney for the Plaintiff, after
having given notice to all parties concerned, the
service of which notice will be shown by the original
being hereto attached, took the testimony of L. W. Hearn,
G. A. Barlow and R. W. Stallings, Jr, which said
testimony was reduced to writing and returned herewith
and made a part of this report, and from such
testimony so taken and from the records in the case,
as well as the records on file in the Clerk's Office
of the Circuit Court of this County, is informed and
reports as follows:

Q-1. Of what real estate the defendants S.L. Edwards and Sallie G. Edwards are seized and possessed.

A-1. From evidence submitted too, and records examined by your commissioner, he is informed and reports as follows; that the defendants, S.L. Edwards and Sallie G. Edwards, are seized and possessed of several parcels or tracts of land, all located in Newport Magisterial District, Isle of Wight County, Va, which are described as follows; viz;

(1) A tract of land standing in the name of S.L. Edwards, containing 85 acres, more or less, as shown by Land Book of this County, and located on the road leading from Smithfield to Young's Pond, and being the same land conveyed to S.L. Edwards from W.H. Dick et als, as shown by deed of record in the Clerk's Office of this County in D.B. 69, page 102.

(2) A tract of land standing in the name of S.L. Edwards, containing 135 acres, more or less, located near Scott's Factory, and adjoining the lands of Ed Horne, dec'd, S.A. Whitley et als, and being the same land conveyed to S.L. Edwards by deed from H.B. Chapman, which said deed is of record in the Clerk's Office of Isle of Wight County in D.B. 75, page 375.

(3) A tract of land standing in the name of S.L. Edwards, containing $36\frac{1}{2}$ acres, more or less, located on the County Road near Scott's Factory, and adjoining the lands of Gus Holloway, dec'd, and E.V. Whitley, it being the same land conveyed to S.L. Edwards by deed from H.B. Chapman, as appears of record in the Clerk's Office of the County of Isle of Wight, in D.B. 75, page 556.

(4) A tract of land standing in the name of Sallie G. Edwards, containing 10 acres, more or less,

located on the County road leading from Scott's Factory towards Longview and adjoining the lands of S. A. Whitley et als, it being the same land conveyed to Sallie G. Edwards by deed from H.H. Williams and G. P. Whitley, Special Commissioner, which deeds of record in the Clerk's Office aforesaid in D.B. 83, page 496.

Q-2. The annual and fee simple value of the respective tracts of land of which S.L. Edwards and Sallie G. Edwards, are seized and possessed.

A-2. From the testimony submitted before your commissioner, ~~xxxxxx~~ as well as your commissioners personal knowledge of the property in question, he believes and respectfully reports as follows;

That the annual value of the 85acre tract of land standing in the name of S.L. Edwards is \$350.00, while the fee simple value of the same is \$6250.00.

That the annual value of the 135 acre tract of land, standing in the name of S.L. Edwards is \$145.00 and the fee simple value of the same is \$2750.00.

That the annual value of the 36 $\frac{1}{2}$ acre tract of land standing in the name of S.L. Edwards is \$80.00, and the fee simple value of the same is \$1550.00.

That the annual value of the 10 acre tract of land standing in the name of Sallie G. Edwards is 65.00, and the fee simple value of the same is \$575.00.

Q-2. An account of the liens against the respective tracts of land of the said S.L. and Sallie G. Edwards, together with their nature and respective amounts and priorities.

A-2. Your commissioner begs leave to report that the following deeds of trust are found of record in

the Clerk's Office of the Circuit Court of the County of Isle of Wight, and are herein reported so as to show the individual tract or tracts that the same may be a lien upon, as well as according to their respective priorities, to-wit;

X² A deed of trust made by S.L. Edwards and Sallie G. Edwards, dated Jan, 10, 1910, to A.S. Johnson, trustee, to secure to C. W. Warren, of the town of Smithfield, Va, the sum of \$5000.00, evidenced by bond of even date with the said trust deed, and made by S.L. Edwards and Sallie G. Edwards, payable on demand, with interest from date, and which said trust deed is a lien upon a tract of land containing 85 acres, a tract of $36\frac{1}{2}$ acres, and a tract of 135 acres, all of which tracts stand in the name of S.L. Edwards, and are herein before described. Said deed having been admitted to record in the aforesaid Clerk's Office on Jan. 11, 1910, in D.B. 78, at page 86.

A deed of trust made by Sallie G. Edwards and S.L. Edwards, her husband, to G.F. Whitley, trustee, to secure H.B. Chapman, the sum of \$400.00, evidenced by 4 negotiable notes of even date, payable 1,2,3 and four years from date, with interest from date, payable annually on the first day of January each year, said notes being signed by Sallie G. Edwards and S.L. Edwards, the said deed of trust is dated Jan, 16th, 1911, and is a lien upon that certain tract of land containing 10 acres, more or less, and standing in the name of Sallie G. Edwards.

This deed of trust admitted to record in the Clerk's Office of Isle of Wight County on Feb 1, 1911,

in Deed Book 78, page 477.

A deed of trust made by S.L. Edwards and Sallie G. Edwards, dated March 18th, 1911, to George F. Whitley, trustee, to secure to Merchants and Farmers Bank, of Smithfield, Va, the payment of the sum of \$1200.00, evidenced by a negotiable promissory note of even date with said deed of trust, payable 90 days after date, said note being signed by S.L. Edwards and S.G. Edwards and is a lien upon the following property, a tract of land containing 85 acres, and in the name of S.L. Edwards, a tract of $36\frac{1}{2}$ acres in the name of S.L. Edwards and a tract of land containing 155 acres, in the name of S.L. Edwards, as well as certain personal property mentioned in said deed. Said deed having been admitted to record in the aforesaid Clerk's Office March 20th, 1911 in D.B. 78, page 569.

A deed of trust made by Sallie G. Edwards and S.L. Edwards, her husband, to C.J. Cofer, trustee, dated the 16th day of April, 1915, and to secure Andrew Cofer of Smithfield, Va, the sum of \$625.00, evidenced by a negotiable note of even date for that amount, signed by parties of the first part thereto and payable Jan, 1st, 1916, with interest from date, which said deed of trust is a lien upon the tracts of land standing in the name of Sallie G. Edwards, supposed to contain 10 acres more or less, according to land book of said County, but estimated to contain only $7\frac{1}{2}$ acres, Said deed of trust having been admitted to record in Clerk's Office aforesaid on the 16th day of April, 1915, in D.B. 84, page 297.

A deed of trust made by S.L. Edwards and Sallie

G. Edwards, his wife, and Sallie G. Edwards, in her own
right, to H.H. Williams, trustee, dated Oct. 12th, 1915,
to secure Bank of Smithfield, payment of the sum of \$775.00
evidenced as follows, by one promissory note of even
date therewith, payable 60 days after date, for the sum of
\$525.00, and one promissory note of even date therewith
payable Dec, 15th, 1915, for the sum of \$250.00, both of
said notes made by Sallie G. Edwards and S.L. Edwards.
The same being a lien upon the following tracts of land,
a tract of 85 acres standing in the name of S.L. Edwards,
a tract of 36 $\frac{1}{2}$ acres standing in the name of S.L. Edwards,
and a tract of 135 acres standing in the name of S.L. Edwards
and one tract containing 7 $\frac{1}{2}$ acres, (sometimes called 10 acres)
standing in the name of Sallie G. Edwards, also certain
personal property, as by the said trust deed enumerated.

This deed of trust having been entered of record in
the aforesaid Clerk's Office on Oct, 13, 1915, in D.B. 84,
page 460.

A deed of trust made by S.L. Edwards and Sallie G.
Edwards, ~~trustee~~, to Geo.L. Edwards, trustee, dated the
19th day of Jan, 1916, to secure A.C. Lyon the sum of
\$1235.00, evidenced by a negotiable _____ of even date
therewith, payable on demand, executed by S.L. Edwards,
and also to secure to Linwood Edwards the payment of the
sum of \$300.00, evidenced by a negotiable note of even
date therewith, payable on demand, executed by said S.L.
Edwards. Said deed of trust being a lien on a tract of
land containing 85 acres, a tract of 35 acres and a tract
135 acres, all standing in the name of S.L. Edwards, as
well as certain personal property enumerated in said deed.

This deed of trust recorded Feb 5th, 1916, in D.B.84

page 617. in the Clerk's office of Isle of Wight County.

A deed of trust made by S.L. Edwards and Sallie G. Edwards, to V. W. Joyner, trustee, dated May 16, 1916, and made to secure J. E. Warren of Smithfield, Va, payment of the sum of \$700.00, also to secure C. S. Betts and Co, of Smithfield, Va, the payment of the sum of \$251.98, also to secure J.M. Chapman of Smithfield, Va, the payment of the sum of \$149.15, all of said sums being evidenced by notes of even date therewith, payable 30 days after date, executed by the said S.L. Edwards, bearing interest from date at the rate of 6%, also given as additional security to secure payment of a certain note of \$1200.00 and secured by a deed of trust bearing date March 18, 1911 and of record in D.B. 78, page 596, said note bearing date Oct. 7th, 1914, and payable in 30 days after date to J. R. Rowell, Jr, cashier and by the said J.R. Rowell, Jr, cashier, assigned to Virginus Darden, it being further stipulated in said deed of trust that J. E. Warren, C. S. Betts and Co. and J.M. Chapman, should share pro-rata in any funds arising from sale of any property conveyed by said deed, which said trust deed is a lien upon the following tracts of land, a tract of 85 acres, more or less, a tract of 36 $\frac{1}{2}$ acres, more or less, and a tract of 135 acres, more or less, all standing in the name of S.L. Edwards, and as well as certain personal property, as by said trust deed enumerated.

This deed having been admitted to record in the Clerk's Office of Isle of Wight Co, on May 18, 1916, in D.B. 84, page 92.

A deed of trust made by S.L. Edwards and Sallie G. Edwards to E.H. Williams, trustee, dated June 26th, 1918, made in trust to secure the holder, payment of the following notes, to-wit; one note for \$150.00, of even date herewith, and payable 90 days after date, to bearer, and one note for \$500.00, of even date herewith, payable 90 days after date to bearer, both of said notes bearing interest from date, and executed by said parties of the first part thereto. The same being a lien upon the following tracts of land, a tract of 35 acres (evidently meaning 36 $\frac{1}{2}$ Acres), a tract of 85 acres, and a tract of 135 acres, all standing in the name of S.L. Edwards, as well as certain personal property by said trust deed enumerated.

This deed of trust admitted to record in the Clerk's Office of Isle of Wight County on June 3rd, 1918, in D.B. 88, page 158.

A deed of trust made by S.L. Edwards and Sallie G. Edwards to Linwood Edwards, trustee, dated April 28th, 1919, to secure G.G. Genier, of Norfolk County, the sum of \$2000.00 evidenced by a negotiable note of even date therewith, payable on demand, interest from date, and made by the parties of the first part, thereto, which said trust deed is a lien upon the following property, a certain tract of land containing 88 acres (evidently meaning the 85 acres tract) a tract of 35 acres, (evidently meaning 36 $\frac{1}{2}$) acres and a 135 acres tract of land, all standing in the name of S.L. Edwards, and that certain tract of land containing 10 acres, more or less, standing in the name of Sallie G. Edwards.

This deed of trust was admitted to record in

the Clerk's Office aforesaid, in B.D. 88, page 460, on April 30th, 1919.

A deed of trust made by S.L. Edwards and Sallie G. Edwards, ~~trustees~~ to Linwood Edwards, trustee, dated Dec 1, 1919, and made to secure G. G. Genier of Norfolk County, Va, the payment of the sum of \$3000.00, evidenced by a negotiable note of even date therewith, payable on demand, bearing interest from date, and is a lien upon the following property, a certain tract of land containing 88 acres (meaning 85 acres) in name of S.L. Edwards, and a tract of 35 acres (meaning 36 $\frac{1}{2}$ acres), and a tract of 135 *acres* all standing in the name of S.L. Edwards, and that certain tract of land containing 10 acres, more or less, standing in the name of Sallie G. Edwards.

This deed of trust admitted to record in the Clerk's Office of Isle of Wight County on Dec 29th, 1919, in D.B. 90, page 23.

Your Commissioner begs leave to report the following judgments found of record in the Clerk's Office of Isle of Wight County.

A judgment in favor of Thos. V. Short, dated Feb. 3, 1912, vs. S.L. Edwards and American Peanut Harvester Corporation, for the sum of \$201.25, with interest from May 1st, 1911, till paid and 8.65 cost. Said judgment having been rendered in Hustling Court of the City of Petersburg, and docketed in the Clerk's Office of this County on March 1, 1912, in J.L. D.#3, page 145.

A judgment in favor of T.J. Cox and Son vs S.L. Edwards for \$110.00, with interest from Sept. 27th, 1915, till paid and 6.56 cost.

Said judgment having been rendered by the Circuit Court of Isle of Wight County, Oct. 29th, 1915, and docketed Nov. 29th, 1915, in J.L. D. #3, page 190.

A judgment in favor of Katie Darden, administratrix of Virginus Darden, against S.L. Edwards, Sallie G. Edwards and G.L. Edwards, for the sum of \$300.00, with interest from Dec. 29th, 1914, till paid and 7.52 cost.

Said judgment was rendered by the Circuit Court of Isle of Wight County, on Feb 7, 1916, and docketed on Mar. 25th, 1916, in J.L. D. #3, page 201.

The said plaintiff in this judgment being the plaintiff to this suit.

A judgment in favor of J. F. Bell, administrator of B. C. Bell, estate, against S.L. Edwards, for the sum of \$40.00, with interest from June 14th, 1916, till paid, and 2.50 cost.

The same having been rendered by M. P. Jordan a Justice of the Peace of the County of Isle of Wight, on the 6th day of May, 1916, and docketed in aforesaid Clerk's Office on June 14th, 1916, in J.L. D. #3, page 210.

A judgment in favor of W. T. Phillips and D. U. Pitt, partners trading as Phillips and Company against S.L. Edwards for the sum of \$168.25, with interest from March 1, 1916, till paid and 7.48 cost.

The same having been rendered in the Circuit Court of Isle of Wight Co, on Aug. 8th, 1916, and docketed in the Clerk's Office aforesaid on Aug. 21st, 1916, in J.L.D. #3, page 217.

A judgment in favor of W.P. Boyce against S.L. Edwards for the sum of \$125.00, with interest from Dec. 27th, 1916, till paid and 2.50 cost.

The same having been rendered in the Justice Court of this County on April 16th, 1917, and docketed May 16th, 1916, in the Clerk's Office aforesaid in J.L. D.#4, page 8.

A judgment in favor of Farmers Manufacturing Co. against S.L. Edwards for the sum of \$20.00, with interest from Sept. 1, 1916, till paid and 2.50 cost.

The same having been rendered by M.F.Jordan, a Justice of the Peace of this County on the 26th day of Sept. 1916, and docketed in the Clerk's Office aforesaid on May 16th, 1917, in J.L. D. #4, page 8.

A judgment in favor of Virginia Manufacturing Co. vs S.L. Edwards, for the sum of \$120.00, with interest from Nov. 1, 1922, till paid and 3.30 cost.

This judgment was rendered by J. W. Stott, a Justice of the Peace of this County on Sept. 8th, 1923, and docketed in the Clerk's Office aforesaid on Oct. 2nd, 1923, in J.L. D. #4, page 176.

A judgment in favor of D.W.Chapman and Co. vs. S.L. Edwards, for the sum of \$113.17, with interest from Dec 1, 1920, till paid and 3.30 cost.

This judgment was rendered by J. W. Stott, a Justice of the Peace on Feb. 2nd, 1924, and docketed in the Clerk's Office aforesaid in J.L. D.#4, page 190, on Feb,4th, 1924.

Your Commissioner wishes to report that he finds of record in the Clerk's Office aforesaid delinquent taxes for the years of 1923 and 1924, on the several tracts of land standing in the name of S.L. Edwards amounting to \$254.46, with interest and charges to be added, which is a

lien against the said land.

Your commissioner further reports that he finds of record in the Clerk's office aforesaid, delinquent taxes on the tract of 10 acres standing in the name of Sallie G. Edwards, for the years 1923 and 1924 amounting to \$28.04 which is a lien upon the said tract of 10 acres.

Q-4. Whether the rents and profits from the said lands will within five years pay the several liens thereon.

A-4. Your commissioner wishes to report that from the evidence before him, that the rents and profits from the lands mentioned in these proceedings would not within a period of five years pay off the several liens thereon.

Q-5. Such other matters as any party in interest may require, the same being pertinent or such other matters as said commissioner may deem pertinent, whether so requested or not.

A-5. Your commissioner begs leave to report that while he is not officially informed, yet, he believes that the large percentage of the deeds of trust mentioned in this report have been assigned to and are now in the possession of G. W. Delk, of Smithfield, Va.

Q-6. Whether all the necessary and proper parties are before the Court.

A-6. Your commissioner is advised and respectfully reports that all of the proper and necessary parties are properly before the Court.

Given under my hand as Commissioner in Chancery for the Circuit Court of Isle of Wight County.

Fee 2500

R. A. Edmunds
Comr. in Chancery

L. W. Hearn being duly sworn deposes and says as follows.

Q. Please state your name, age, residence and occupation.

A. L. W. Hearn, age 48 I live in Isle Of Wight County near Smithfield, and am a farmer.

Q. Do you live near S. L. and S. G. Edwards the defendants to this suit and if so are you familiar with the real estate of which they are seized and possessed.

A. I live within about three quarters of a mile of them and have lived there for quite some time, I know of the real estate, have often seen it, and have been upon it.

Q. What real estate are they possessed of.

A. The home place, a farm of about 85 acres, the Riggin place about 36-1/2 acres, the Mason and Riggin place known or considered to consist of about one hundred thirty five acres, (135), and the Mahalia Mason tract of about ten acres (10)., all located in Isle Of Wight County in the Scotts Factory neighborhood.

Q. Mr Hearn will you please state what in your mind is a fair annual as well as fee-simple value of each separate tract of the above real estate.

A. I hardly know what to say but I judge that the home place of 85 acres ought to rent for around three hundred dollars per year and I consider its fee-simple value to be about \$6000.00.

The 36-1/2 acre tract ought to rent for around seventy five dollars per year and it's fee-simple value is about 1000.00 to 1500.00.

The 135 acre tract would possibly rent for from one to one hundred and fifty dollars per year and would sell for from twenty five hundred to three thousand dollars.

The ten acre tract would rent for about sixty dollars per year and would sell for from four to five hundred dollars, the above figures are as near right as I could judge.

Q. Mr Hearn if there are liens upon the above property to the extent of ten thousand dollars or more would, in your judgment, the rents and profits therefrom pay of said indebtedness within five years.

A. No I do not think so.

And further this deponent saith not.

L. W. Hearn

R. W. Stallings Jr., being duly sworn deposes and says as follows.

Q. Please state your name, age residence and occupation.

A. R. W. Stallings Jr, my age is 32, I live in Isle Of Wight County near Smithfield and am a farmer.

Q. Mr Stallings are you familiar with the ~~deal~~ estate of which S. L. and S. G. Edwards are seized and possessed and how often have you seen same.

A. Yes I am fairly familiar with their property, I live on a farm adjoining a part of it and see some part of it every day.

Q. Mr Stallings from the records in the Clerks Office Mr and Mrs Edwards are possessed of four tracts of land, will you kindly state where this land is located and what in your judgment is its annual and fee simple value, giving each tract seperately.

A. All of this property is located in the Scotts Factory neighborhood, about three to five miles from Smithfield and I think that the home place of 85 acres would rent for about 400.00 dollars per year, that its fee simple value would be around \$6500.00, I think that the tract of 36-1/2 acres would rent for from \$25.00 to 100.00 dollars per year and its fee simple value would be from 2800.00 to \$2000.00 dollars.

I think that the tract of 135 acres would rent from 125.00 to 150.00 per year and that its annual value would be from \$2500.00 to \$3000.00 dollars. As to the 10 acre tract that would rent for from 60.00 to 75.00 dollars and its fee simple value would be around six to seven hundred dollars, so far as I can estimate.

Q. Mr Stallings if there are liens upon the above tracts amount to ten thous and dollars or more would in your judgment, the rents and profits from the same pay off and discharge same within a period of five years.

A. No, it would not.

Further this deponent saith not.

R W Stallings Jr

G. A. Barlow being duly sworn deposes and says as follows.

Q. Mr Barlow, please state your name, age occupation and residence.

A. My name is G. A. Barlow, I live in Isle Of Wight County near Smithfield, I am 41 years of age and am a farmer.

Q. Mr Barlow are you familiar with the real estate belonging to S. L. and S. G. Edwards and if so how far do you live from it.

A. Yes I know the property of Mr and Mrs Edwards, in fact I live almost in sight of the home place of Mr Edwards, have known the property most all of my life.

Q. Mr Barlow were you present here just a few moments ago when Mr R. W. Stallings and Mr L. W. Hear testified in this case.

A. yes I was here and heard what they said as to the annual and fee-simple value of the property.

Q. What have you to say as to the annual and fee simple value of the different tracts mentioned by them.

A. I think that they very fairly stated the annual and fee-simple values of each tract, in fact my testimony would be about what theirs was.

Q. Mr Barlow if there are liens upon upon this property to the extent of ten thousand dollars or more would in your judgment the rents and profits from same pay off and discharge the same within a period of five years.

A. No, it would not.

Further this deponent saith not.

G. A. Barlow.

VIRGINIA: COMMISSIONERS OFFICE, OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT, OCTOBER 5TH. 1925.

Katie Hearn, nee Darden, Administratrix
of Virginus Darden, deceased.....Plaintiff

vs) Chancery. #452

S.L. Edwards. S.G. Edwards, A.S. Johnson, trustee, Merchants and
Farmers Bank, C. W. Warren, George F. Whitley, trustee, E.H.
Williams, Substituted trustee, Bank of Smithfield, George Lee
Edwards, trustee, George Lee Edwards, A. C. Lyon, Linwood Edwards
trustee, George W. Delk, E.H. Williams, trustee, and G.G. Genier
.....Defendants

Take Notice That I, shall, at the office of the Clerk of
the Circuit Court of the County of Isle of Wight, Virginia, on
the 14th day of October, 1925, proceed to execute the Decree
entered in the above entitled cause, on the 30th day of Sept. 1925,
which said decree requires the following inquiries to be taken,
and reported to Court, to-wit;

1st. Of what real estate the defendants S.L. and S.G.
Edwards are seized and possessed.

2nd. The annual and fee simple value of the respective
tracts of land of which S.L. and S.G. Edwards are seized and
possessed.

3rd. An account of the liens against the respective
tracts of land of the said S.L. and S.G. Edwards, together with
thier nature and respective amounts and priority.

4th. Whether the rents and profits from the said lands
will within five years pay the several liens thereon.

5th. Such other matters as any party in interest may
require, the same being pertinent, or such other matters as the
said Commissioner may deem pertinent, whether so requested or not.

6th. Whether all the necessary and proper parties are
properly before the Court.

And the said Commissioner shall make report to Court
how he has executed this decree.

Given under my hand as Commissioner of the Circuit
Court of the County of Isle of Wight, Virginia.

N. A. Eanner
Commissioner in Chancery

Service Accepted.

Robert D. Simpson
John D. Edgar
John Delk

The Merchants and Farmers Bank
By Ben Whitley

W. H. Williams

E. H. Williams, trustee

G. G. Genier

A. S. Johnson. By B. E. Stephens.

VIRGINIA: COMMISSIONERS OFFICE, OF THE CIRCUIT COURT OF THE COUNTY OF
ISLE OF WIGHT, OCTOBER 5TH 1925.

Katie Hearn, nee Darden, Administratrix of
Virginus Darden, Deceased, ...Plaintiff.

Vs. Chancery; 452.

S. L. Edwards, S. G. Edwards, A. S. Johnson, Trustee, Merchants
and Farmers Bank, C. W. Warren, George F. Whitley, Trustee, E. H.
Williams, Substituted Trustee, Bank Of Smithfield, George Lee
Edwards, Trustee, George Lee Edwards, A. C. Lyon, Linwood Edwards,
Trustee, George W. Delk, E. H. Williams, Trustee, and G. G.
Genier, ...Defendants.

Take Notice that I shall, at the office of the Clerk Of The Circuit
Court, of the County of Isle Of Wight, Virginia, on the 14th day of October
1925, proceed to execute the Decree entered in the above entitled cause, on
the 30th day of September 1925, which said decree requires the following
enquiries to be taken, and reported to Court, to-wit;

1st. Of what Real Estate the defendants S. L. and S. G. Edwards
are seized and possessed.

2nd. The Annual and fee simple value of the respective tracts of
land of which S. L. and S. G. Edwards are seized and possessed.

3rd. An account of the liens against the respective tracts of
land of the said S. L. and S. G. Edwards, together with their nature and
respective amounts and priority.

4th. Whether the rents and profits from the said lands will
within five years pay the several liens thereon;

5th. Such other matters as any party in interest may require,
the same being pertinent, or such other matters as the said Commissioner
may deem pertinent, whether so requested or not.

6th. Whether all the necessary and proper parties are properly
before the Court;

And the said Commissioner shall make report to Court how he
has Executed this decree.

Given under my hand as Commissioner of the Circuit Court of the
County of Isle Of Wight, Virginia.

R. A. Edwards
Commissioner In Chancery.

Service Accepted.

.....
.....
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.....

arrived the within
summons in the County
of Isle of Wight, this the
10th day of Oct. 1925 per
on S. L. Edwards and
S. G. Edwards
as directed —

W. H. Chapman
by W. J. Daniel Deputy - S. H. Shuff

VIRGINIA: COMMISSIONERS OFFICE, OF THE CIRCUIT COURT OF THE COUNTY OF
ISLE OF WIGHT, OCTOBER 5TH 1925.

Katie Hearn, nee Darden, Administratrix of
Virginus Darden, Deceased, ... Plaintiff.

Vs. Chancery; 452.

S. L. Edwards, S. G. Edwards, A. S. Johnson, Trustee, Merchants
and Farmers Bank, C. W. Warren, George F. Whitley, Trustee, E. H.
Williams, Substituted Trustee, Bank Of Smithfield, George Lee
Edwards, Trustee, George Lee Edwards, A. C. Lyon, Linwood Edwards,
Trustee, George W. Delk, E. H. Williams, Trustee, and G. G.
Genier, ... Defendants.

Take Notice that I shall, at the office of the Clerk Of The Circuit
Court, of the County of Isle Of Wight, Virginia, on the 14th day of October
1925, proceed to execute the Decree entered in the above entitled cause, on
the 30th day of September 1925, which said decree requires the following
enquiries to be taken, and reported to Court, to-wit;

1st. Of what Real Estate the defendants S. L. and S. G. Edwards
are seized and possessed.

2nd. The Annual and fee simple value of the respective tracts of
land of which S. L. and S. G. Edwards are seized and possessed.

3rd. An account of the liens against the respective tracts of
land of the said S. L. and S. G. Edwards, together with their nature and
respective amounts and priority.

4th. Whether the rents and profits from the said lands will
within five years pay the several liens thereon;

5th. Such other matters as any party in interest may require,
the same being pertinent, or such other matters as the said Commissioner
may deem pertinent, whether so requested or not.

6th. Whether all the necessary and proper parties are properly
before the Court;

And the said Commissioner shall make report to Court how he
has Executed this decree.

Given under my hand as Commissioner of the Circuit Court of the
County of Isle Of Wight, Virginia.

N. A. Evans
Commissioner In Chancery.

Service Accepted.

Samuel Edwards
Oct-12-1925

Executed on the 17 day of oct
1925, within the City of Hopewell,
Va., by delivering a true copy of the
within Notice in writing,
to Linwood Edwards
in person.

ASJ Whiler C.S.
By RE Egerton D.S.

VIRGINIA; COMMISSIONERS OFFICE OF THE CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT, OCTOBER 15th, 1925.

Katie Hearn, nee Darden, administratrix
of Virginius Darden, deceased.....Plaintiff

v) Chancery. #452

S.L. Edwards, S.G. Edwards, A.S. Johnson, trustee, Merchants and
Farmers Bank, C. W. Warren, George F. Whitley, trustee, E.H.
Williams. Substituted trustee, Bank of Smithfield, George Lee
Edwards, trustee, George Lee Edwards, A.C. Lyong, Linwood Edwards
trustee, George W. Delk, E.H. Williams, trustee and
G.G. Genier.....Defendants.

TAKE NOTICE, That I, the undersigned commissioner,
shall, at the office of the Clerk of the Circuit Court of the
County of Isle of Wight, Virginia on the 30th day of October,
1925, again proceed to execute the decree entered in the above
entitled cause on the 30th day of Sept, 1925, which said decree
requires the following inquiries to be taken, and reported to
Court, to-wit; the hearing heretofore set for Sept. 14th, 1925,
having been adjourned until the date above stated-

1st. Of what real estate the aforesaid defendants,
S.L. and S.G. Edwards are seized and possessed.

2nd. The annual and fee simple value of the respective
tracts of land of which S.L. and S.G. Edwards are seized and
possessed.

3rd. An account of the liens against the respective
tracts of land of the said S.L. and S.G. Edwards, together with
their nature and respective amounts and priority.

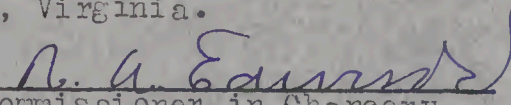
4th. Whether the rents and profits from the said lands
will within five years pay the several liens thereon.

5th. Such other matters as any party in interest may
require, the same being pertinent, or such other matters as the
said Commission may deem pertinent, whether so requested or not.

6th. Whether all the necessary and proper parties are
properly before the Court.

And the said Commissioner shall make report to Court
how he has executed this decree.

Given under my hand as Commissioner of the Circuit
Court of the County of Isle of Wight, Virginia.


Commissioner in Chancery

Service Accepted.

Re Darden
B. Gen. Notice
Edmund J.

Gen. Notice

Executed in the County of Norfolk, Va.,
this 28th day of Oct 1926 by
serving a Copy hereof on

G. L. Smith

IN PERSON.

A. C. Wendel
Sheriff County of Norfolk, Va.
G. L. Smith Dept.

Executed in the County of Norfolk,
this 28th day of Oct 1926 by
serving a Copy hereof on

IN PERSON.

Sheriff County of Norfolk, Va.
By _____ Dept.

~~#8~~ 8
Katie Heera Re Order

vs. G. # 452.

S. L. Edwards et al.

Commissioners Report.

Filed. Nov. 2-1925

R. A. Edwards
Clerk

R. A. EDWARDS
COMMISSIONER IN CHANCERY
CIRCUIT COURT
ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VIRGINIA

VIRGINIA:

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

Katie Hearn nee Darden, Administratrix of Virgenius Darden, deceased,
Plaintiff.

vs. In Chancery.

S. L. Edwards, S. G. Edwards, A. S. Johnson, Trustee, Merchants & Farmers Bank, C. W. Warrenn, George F. Whitley, Trustee, E. H. Williams, Substituted Trustee, Bank of Smithfield, George Lee Edwards, Trustee, George Lee Edwards, A. C. Lyon, Linwood Edwards, Trustee, George W. Delk, E. H. Williams, Trustee, G.G. Genier,.....Defendants.

This day E. H. Williams, Personally appeared before me, C. Fairfield Whitley, a Notary Public, and being duly sworn, made oath that George Lee Edwards and A. C. Lyon, two of the above defendants in the said suit are not residents of the State of Virginia, that the last known Postoffice address of George Lee Edwards is Norfolk, West Virginia, and that the last known Post Office address of A. C. Lyon is Welch, West Virginia.

Given under my hand this 30th, day of July, 1925.

C. Fairfield Whitley
Notary Public.

6.

Katie Hearn,
vs. Affidavit for Order
of Publication.
S. L. Edwards, et als.

Filed.

Aug. 11th 1920

R. G. Edwards
clw.

To the Clerk of the Circuit Court
of the County of Allegheny, Va.

Nathaniel Ham, the Barren River
Tribute, of Virginia Harbor, Head
Harris

V. Du Chancy
S. L. Edwards, John H. Edwards,
✓ H. S. Lusk, Jr., Foster, ✓ C. M. Green
✓ H. H. Whiting, Jr., ✓ Merchaute
✓ Farmers Bank, Inc., ✓ E. H. Williams, Sub-
stitute, ✓ Bank of Smithfield, Va.
✓ George Lee Edwards, Jr., ✓
✓ R. C. Lyon, ✓ George, ✓ Edwards
✓ H. H. Whiting, ✓ L. S. Lusk
and ✓ E. H. Williams, Master, Defendants.

Issue summons in Chancery
for said Plaintiff against said
defendants to 1st Fed. Rules, 1920.
to answer the said Plaintiff's
bill in Chancery.

P. F. Whitley } L. J.
Plaintiff \$250 P. F. Whitley
S. G. Whiting, Master in Chancery Co.
H. H. Whiting in N. Y.

Linwood Edwards - H. H. Whiting

Dorain & Adams

92 Cy.

S. F. Edmund

1000 up.

Leice

Nov. 18-25

Deposit - 8/13 850

11/18/25

From 4. 500 9.00

" " 500 up 9.

" " 500 up 9.

Admission to

C. F. M. M. M.

The Smithfield Times

OFFICIAL PAPER OF ISLE OF WIGHT COUNTY

PERCY N. BRISTOW, EDITOR

Smithfield, Virginia

9/29/25

TO WHOM IT MAY CONCERN:

I, Percy N. Bristow, Editor of the Smithfield Times, a newspaper published at Smithfield, in the County of Isle of Wight, State of Virginia, do hereby certify that the order of publication of Katie Hearn, nee Darden vs. S. L. Edwards, appeared for four successive issues in the above named paper.

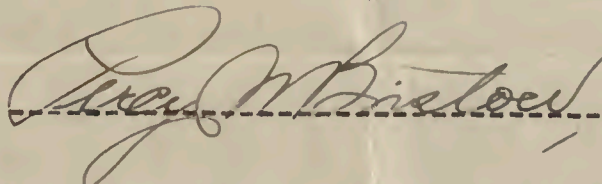
VIRGINIA.—Clerk's Office of The Circuit Court of the County of Isle of Wight, August 11th, 1925.

Katie Hearn, nee Darden,
Administratrix, of
Virginius Darden, deceased
Plaintiff
vs. Chancery No. 452
S. L. Edwards, et als.

The object of the above suit is to have sale of certain real estate situated in Newport Magisterial District, Isle of Wight County, Virginia, and affidavit having been made, that G. L. Edwards and A. C. Lyon, party defendants are non-residents of this State, and that their last known Postoffice addresses were Norfolk and Welsh, West Virginia, respectively. Therefore, it is ordered that the said G. L. Edwards, and A. C. Lyon do appear here within ten days after due publication of this notice, and do what ever may be necessary to protect their interest.

Teste:

R. A. Edwards, Clerk.
C. F. Whitley, p. q. 9-14-46

-----Editor

This day personally appeared before me the above named Percy N. Bristow, who is personally known to me and made oath that the above statements are true.

Given under my hand this 29th, day of September, 1925.


Notary Public.

Dear ⁸

25 Cheney #452
Edwards.

Printed Certificates

Filed - 9-24-25.

N. A. Edwards.
Ch.

Virginia. Clerks Office Of The Circuit Court Of The County Of Isle Of
Wight, August 11th, 1925.

Katie Hearn, nee Darden, Administratrix,
of Virginius Darden, deceased.....Plaintiff.

Vs. Chancery No. 452.

S. L. Edwards et als.,

The object of the above suit is to have sale of certain real estate
situated in Newport Magisterial District, Isle Of Wight County, Virginia,
and affidavit having been made, that G. L. Edwards and A. C. Lyon, party
defendants are non-residents of this State, and that their last known
Post Office addresses were Norfolk and Welsh, West Virginia, respectively,.
Therefore, it is ordered that the said G. L. Edwards, and A. C. Lyon do
appear here within ten days after due publication of this notice, and do
what ever may be necessary to protect their interest.

Teste R. A. Edmund Clerk.

C. F. Whitley, p.q.

a copy.

Commonwealth of Virginia,

To the Sheriff of ~~Isle of Wight County~~ ^{County of Welsh Post, Virginia.} ~~Greeting.~~

WE COMMAND YOU, That you summon A. C. Lyon,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the Third Monday in July, 1925,
to answer a bill in chancery, exhibited against him et als.,
in our said Court by Katie Hearn, ne (Darden), Administratrix of the Estate
of Virginus Darden, deceased.,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 19th
day of June, 1925, and in the 140th year of the
Commonwealth.

R. A. Edwards Clerk.

9 true copies

Attest R. A. Edwards. ellh

Copy for
A.C. Lyon.

Commonwealth of Virginia,

To the Sheriff ^{or Sargeant of Welsh; West, Virginia.}
~~of Isle of Wight County~~ — Greeting:

WE COMMAND YOU, That you summon A. C. Lyon,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the Third Monday in July, 1925,
to answer a bill in chancery, exhibited against him et als.,
in our said Court by Katie Hearn, ne (Darden), Administratrix of the Estate
of Virginius Darden, deceased.,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 19th
day of June, 1925, and in the 149th year of the
Commonwealth.

R. A. Edwards Clerk.

Hon.

Dardens, Adversus

vs.

CHANCERY NO.

452

J. L. Edmonds & Co

ORIGINAL SUBPOENA

*Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.*

....., 19.....

Returned, entered and filed.

Teste:

.....Clerk

To

Second July

Rules

1925

O. F. White

p. q.

Commonwealth of Virginia,

Norfolk, West Virginia. Or City Sgt.

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU, That you summon George Lee Edwards,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the Third Monday in July, 1925,
to answer a bill in chancery, exhibited against him and others,
in our said Court by Ratie Hearn, ne (Darden), Administratrix of the Estate
of Virginus Darden, deceased.,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 19th
day of June, 1925, and in the 149th year of the
Commonwealth.

R. A. Edwards Clerk.

A true copy.

Atst. R. A. Edwards. Clk.

Copy for
G. L. Edmonds N.

Commonwealth of Virginia,

Norfolk, West Virginia. Or City Sgt.

To the Sheriff of ~~Nevada~~ ~~Wright~~ ~~County~~ — Greeting:

WE COMMAND YOU, That you summon George Lee Edwards,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules
to be holden for the said Court on the Third Monday in July, 1925,
to answer a bill in chancery, exhibited against him and others,
in our said Court by Katie Hearn, ne (Darden), Administratrix of the Estate
of Virginius Darden, deceased.,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 19th
day of June, 1925, and in the 149th year of the
Commonwealth.

R. A. Edwards Clerk.

Geo Lee Edwards
Not found offer
diligent effort to locate
Humberson
City Sgt

State of West Virginia,

City or County of

This day personally appeared
before me _____

the City Sergeant of the
City of Norfolk, W.Va., and
made oath that he served a
true copy of the within
summons upon G.L. Edwards in
person on the ____ day of June,
1925, in the City of Norfolk,
West, Virginia.
Given under my hand this ____
of June, 1925.

My _____
commission expires

S. K. E.

Darden, Admstr -

vs. }

CHANCERY NO. 452

J. L. Edwards et al

ORIGINAL SUBPOENA

Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.

_____, 19____.

Returned, entered and filed.

Teste:

_____. Clerk

To Second July Rules

1925

C. F. Whitty. p. q.

COMMONWEALTH OF VIRGINIA:

Sergeant of the City of Hopewell.
TO THE ~~SHERIFF OF ISLE OF WIGHT COUNTY~~—Greeting:

We command you that you summon *Sirwood Edwards*

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by

*Ratie Hearn, nee Warden, Admrs. of
Virginicus Warden, dec'd*

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.
By E. Kay Wills
D.S.

Original

Ratie Hearn,
Admr.

vs.

S. L. Edwards et
als.

To say that
I hope never to

Executed within
The City of Howard Va
on the 22nd Day of
November 1974 by
delivering a true copy
of within Notice to
Linwood Edwards
in person

A. J. Wheeler Deputy

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon *E. H. Williams, Sub. Trs.*
and E. H. Williams, Trs.

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by
Katie Hearn, nee Darden, Admrx. of Virginia Darden,
decd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.
By E. Ray Wills
D. S.

E. H. Williams

I hereby accept due and legal
service of the within process.

STRAFFORD THE PARISH MEETING 1912

AND THE QUARTER

A.S.A.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon

A. S. Johnson, Trustee

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the

First Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by

Katie Hearn, nee Darden, Adm'x of
Virginius Darden, dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.

By E. H. Wells
D. S.

a. s. johnson. Justice

I hereby accept due and legal
service of the within process

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon

C. W. Warren

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
first Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by

*Katie Hearn, nee Warden, Admrix of
Virginus Warden, dec'd*

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.

By E. Ray Wilks
D.S.

C. W. Warren

I hereby accept due and legal
service of the within
process.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon *merchant & Farmers Bank, Inc*

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First.....Monday in *December*....., 192*4*....., to answer a bill
in chancery exhibited against *Them et al* in our said Court by

Ratie Hearn, nee Darden, Adm'r. of Virginia Darden
dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19*.....day of *November*....., 192*4*....., and in
the *149*.....year of the Commonwealth.

R. A. Edwards Clerk.
By E Kay Wills, D.S.

merchants & Farmers
Banks

I hereby accept due and legal
service of the within process.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon *A. C. Lyon*

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by
Katie Hearn, nee Darden, Admrx. of Virginia Darden,
dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.
By E. R. Willis
D. S.

A.C. Lyon

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Geo. Lee Edwards
Trustee

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in December, 1924, to answer a bill
in chancery exhibited against him et al. in our said Court by
Ratie Hearn, nee Warden, Admrx. of Virginians
Warden, dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 19 day of November, 1924, and in
the 149 year of the Commonwealth.

R. A. Edwards Clerk.
Ray E. Ray Wills
D. S.

Geo. Lee Edwards

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon *Banks of Smithfield*

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
first Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *them et al.* in our said Court by
Ratie Hearn, nee Darden, Admrx. of Virginia's Darden,
decid

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.

By *E. R. Wiles*
D. S.

Bank of Smithfield

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon S. L. Edwards, S. B. Edwards, A. S. Johnson, Trustee, C. W. Warren, Geo. F. Whitley, Jr., merchant & Farmer Bank, E. H. Williams, Sub. Treas. Bank of Smithfield, Geo. Lee Edwards, Treas., A. C. Lyon, Geo. W. Webb, E. H. Williams, Treas.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the First Monday in December, 1924, to answer a bill in chancery exhibited against them et al. in our said Court by

Katie Hearn, nee Darden, Administratrix of Virginia Darden, dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-house, this 19 day of November, 1924, and in the 149 year of the Commonwealth.

R. A. Edwards Clerk.

By E. Kay Wills
W. S.

Executed within process
by serving true copy thereof
of S. L. Edwards and S. G.
Edwards is person, this 21st,
day of November, 1934.

W J David

Original

(2)

Ratie Hearn,

Adm.

10

S. L. Edwards Adm.

I hereby accept due and legal
service of the within process:

E. McElvaine & Co. Trustee

E. McElvaine & Co. Trustee

Ger. P. Whitley, Trustee

The Merchants & Farmers Bank,
Nat. Sec. Whitley, atty,

Chas. W. Warren

Wm. L. J. Smith & Co.

By John J. Cogel, Clerk

A. S. Johnson, Trustee

J. M. Sells

COMMONWEALTH OF VIRGINIA:

norfolk
TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—Greeting:

We command you that you summon

G. G. Genier

to appear at the Clerk's Office of the Circuit Court of the County of
Isle of Wight at the rules to be holden for the said Court on the
First Monday in *December*, 192*4*, to answer a bill
in chancery exhibited against *him et al* in our said Court by

Ratie Hearn, nee Darden, Admrix of Virginia
Darden, dec'd

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this *19* day of *November*, 192*4*, and in
the *149* year of the Commonwealth.

R. A. Edwards Clerk.
By E. Kay Wills
D.S.

Original. ^{In address}

Ratie Hearn,
Admr.

vs

S. L. Edwards,
et als

⁵¹¹
Sur 7111. Co.

Not finding G. G. G.
at his ^{her} usual place of abode I executed
the within in the County of Norfolk, Va.
this 22 day of March 1924 by deliver-
ing a copy hereof to

Mrs M. L. Linn wife.
She being then there, a MEMBER OF
her ^{his} FAMILY and over the age of 16
years, and giving information of its
purport to her

D. H. Hinde
Sheriff County, of Norfolk, Va.

by ----- Deputy

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Katie Hearn nee Darden, Administratrix
of Virgenius Darden, dec'd, ...Plaintiff.

vs. In Chancery.

S. L. Edwards, S. G. Edwards, A. S. Johnson,
Trustee, Merchants & Farmers Bank, C.
W. Warren, George F. Whitlay, Trustee, E.H.
Williams, Substituted Trustee, Bank of Smith-
field, George Lee Edwards, Trustee, George
Lee Edwards, A. C. Lyon, Linwood Edwards,
Trustee, George W. Delk, E. H. Williams,
Trustee, G. G. Genier, ...Defendants.

TO THE HONORABLE H. D. WHITE, JUDGE OF SAID COURT:

Your Complainant Katie Hearn, nee Darden, Administratrix
of Virgenius Darden, dec'd, respectfully represents:

That on the 7th., day of February 1916, she, as Adminis-
tratrix as aforesaid, recovered in the Circuit Court of the
said County, a judgment against S. L. Edwards, S. G. Edwards,
and G. L. Edwards, of the said County, for the sum of Three
Hundred (\$300.00) Dollars, with interest thereon from the
23th., day of December 1914, until paid, and Seven Dollars
and Fifty-two cents (\$7.52) cost, and that the said judgment
was duly docketed in the Clerk's Office of said Court on the
said 7th., day of February 1916, in judgment docket number 3,
page 301. An abstract of which said judgment is herewith
filed and marked "Exhibit A" and reads a part of this bill;
and,

That several writs of fieri facias have been issued on the
said judgment, from time to time, directed to the Sheriff of
the said County, upon which several writs the Sheriff has
made the return of "No Effects," and,

That the said S. L. Edwards is seized and possessed in fee-
simple of the three following tracts of land, to-wit:

FIRST: That all that certain tract, piece or parcel of land, lying, being and situate in Newport Magisterial District, in the said County and State, containing Eighty-five (85) acres, more or less, and bounded by the lands formerly belonging to Mrs. R. T. Dick; the land formerly belonging to R. H. Parker, and the M. P. Young millpond, and the road leading from Scott's factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from W. H. Dick et ux., The said deed bearing date of January 6, 1904, and is of record in the Clerk's Office of said Court in D. B. number 69, page 162.

SECOND: All that certain tract, piece or parcel of land, lying, being and situate in Newport Magisterial District in the said County and State, containing One Hundred and Thirty five (135) acres, more or less, and bounded by the lands of Ed Horne, dec'd, Armistead Whitley, Emma Virginia Whitley et als. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, un-married, the said deed bearing date of December 4, 1907, and is of record in the said Clerk's Office in D. B. 75, Page 375;

THIRD: All that certain tract, piece or parcel of land, lying, being and situate in the said Newport Magisterial District, in the said County and State, containing Thirty-six and one-half (36½) acres, more or less and bounded by the lands of Gus Holloway, dec'd, E. V. Whitley, County road leading from Scott's factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, un-married, said deed bearing date of July 1, 1908, and is of record in the Clerk's Office of said Court D. B. 75, Page 556.

That the said S. G. Edwards, sometimes called Sallie G. Edwards, is seized and possessed in fee-simple, of all that certain tract, piece or parcel of land, lying, being and situate in said Newport Magisterial District in said County and State, containing Ten (10) acres, more or less, and bounded

and described as follows, to-wit:

Beginning at a pine stump on the South side of the County road, leading from Scott's Factory to Longview, thence running in a Southerly direction in a straight line to the chopped gum in a swamp at a well hole; thence up said swamp to a ground bridge on the said County road; thence up said road to the point of beginning.

It being the same land conveyed to the said Sallie G. Edwards by deed from E. H. Williams and George F. Whitley, Special Commissioners, said deed bearing date of April 10, 1915, and is of record in the Clerk's Office of the said Court, in D. B. 83, Page 493; and,

That the said S. L. Edwards, and Sallie G. Edwards, his wife, did by their deed bearing date of January 13, 1910, and of record in the said Clerk's Office in D. B. 75, page 64, convey to A. S. Johnson, Trustee, to secure to C. F. Warren the payment of the sum of Five Thousand (\$5,000) Dollars, the following tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract purchased from W.H. Dick as above mentioned;

SECOND: The thirty-six and one-half (36½) acre tract, known as the Lewis Higgins place and purchased from H. B. Chapman as above mentioned; and,

THIRD: The One Hundred and Thirty-five (135) acre tract known as the Higgins and Grant Mason land, purchased from the said H. B. Chapman as above mentioned; and,

That the said S. L. Edwards and Sallie G. Edwards, his wife, did by their deed bearing date of March 13, 1911, and of record in the said Clerk's Office in D. B. 78, page 669, convey to George F. Whitley, Trustee, to secure to the Merchants & Farmers Bank of Southfield, Va., the payment of the sum of Twelve Hundred (\$1200.00) Dollars, the following tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract, purchased from W. H. Dick, as above mentioned;

SECOND: The Thirty-six and one-half (36½) acre tract

known as the "Lewis Higgins" place, and purchased from H. B. Chapman as above mentioned; and,

THIRD: The One Hundred and Thirty-five (135) acre tract above described.

That the said S. L. Edwards and Sallie G. Edwards, his wife, did, by their deed bearing date of October 12, 1915, and of record in the said Clerk's Office in D. B. 84, page 460, convey to R. A. Edwards, Trustee, now E. H. Williams, Substituted Trustee, to secure to the Bank of Smithfield, the payment of the sum of Seven Hundred and Seventy-five (\$775.00) Dollars, the following tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract above described;

SECOND: The thirty-six and one-half ($36\frac{1}{2}$) acre tract above described;

THIRD: The One Hundred and thirty-five (135) acre tract above described; and,

FOURTH: The ten (10) acre tract above described.

That the said S. L. Edwards and Sallie G. Edwards, his wife, did, by their deed bearing date of January 19, 1916, and of record in the said Clerk's Office in D.B. 84, page 817, convey to George Lee Edwards, Trustee, to secure to A. C. Lyon, the payment of the sum of One Thousand Two Hundred and Thirty-five (\$1,235.00) Dollars, and to secure to Linwood Edwards the payment of the sum of Three Hundred (\$300.00) Dollars, the following tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract above described.

SECOND: The thirty-six and one-half ($36\frac{1}{2}$) acre tract above described; and,

THIRD: The One Hundred and Thirty-five (135) acre tract above described.

That the said S.L. Edwards and Sallie G. Edwards, his wife, did, by their deed bearing date of December 1, 1919, and of record in the said Clerk's Office in D.B. 90, page 23, convey to Linwood Edwards, Trustee, to secure to G. G. Genier, the payment of the sum of Three Thousand (\$3,000.00) Dollars, the follow-

ing tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract, above described.

SECOND: The thirty-six and one-half ($36\frac{1}{2}$) acre tract above described.

THIRD: The One Hundred and thirty-five (135) acre tract above described; and,

FOURTH: The ten (10) acre tract above described; and,

That the said S. L. Edwards, and Sallie G. Edwards, his wife, did, by their deed bearing date of April 28, 1918, and of record in the said Clerk's Office in D.B. 88, page 460, convey to Linwood Edwards, Trustee, to secure to G. G. Genier, the payment of the sum of Two Thousand (\$2,000.00) Dollars, the following tracts of land, to-wit:

FIRST: The eighty-five (85) acre tract above described.

SECOND: The thirty-six and one-half ($36\frac{1}{2}$) acre tract above described;

THIRD: The One Hundred and Thirty-five (135) acre tract above described; and,

FOURTH: The Ten (10) acre tract above described; and,

That the said S. L. Edwards, and Sallie G. Edwards, his wife, did, by their deed bearing date of June 28, 1918, and of record in the said Clerk's Office in D.B. 88, page 158, convey to E. H. Williams, Trustee, to secure to the bearer of two notes, one for the sum of Four Hundred and Fifty (\$450.00) Dollars, and the other for the sum of Five Hundred (\$500.00) Dollars, the following tracts of land, to-wit:

FIRST: The Eighty-five (85) acre tract, above described.

SECOND: The Thirty-six and one-half ($36\frac{1}{2}$) acre tract, above described; and,

THIRD: The One Hundred and Thirty-five (135) acre tract above described; and,

That the following judgments have been recorded in the Clerk's Office for the Circuit Court of Isle of Wight County, Va., against the said S. L. Edwards, to-wit:

FIRST: W. T. Phillips and D. U. Pitts, partners, trading as Philip & Co., vs. S. L. Edwards, bearing date of August 8, 1916, for the sum of One Hundred and Sixty-eight Dollars and Twenty-five cents (\$168.25), with interest from March 1, 1916, and Seven Dollars and Forty-eight cents (\$7.48) costs, and is of record in said Clerk's Office in J. D. 3, page 217.

SECOND: Farmers Manufacturing Co., vs. S. L. Edwards, bearing date of September 26, 1916, for the sum of Twenty (\$20.00) Dollars, with interest from September 1, 1916, and Two Dollars and Fifty cents (\$2.50) costs, and is of record in the said Clerk's Office in J. D. 4, page 8.

THIRD: W. P. Boyce vs. S. L. Edwards, bearing date of April 16, 1917, for the sum of One Hundred and Twenty-five (\$125.00) Dollars, with interest from December 27, 1916, and Two Dollars and Fifty cents (\$2.50) costs, and is of record in the said Clerk's Office in J. D. 4, page 6.

FOURTH: Virginia Manufacturing Co., vs. S. L. Edwards, bearing date of October 2, 1921, for the sum of One Hundred and Twenty (\$120.00) Dollars, with interest from November 1, 1922, and Three Dollars and Thirty cents (\$3.30) costs, and is of record in said Clerk's Office in J. D. 4, page 196.

FIFTH: D. W. Chapman vs. S. L. Edwards, bearing date of February 2, 1924, for the sum of One Hundred and Thirteen Dollars and Seventeen cents (\$113.17), with interest from December 1, 1920, and Three Dollars and Thirty cents (\$3.30) costs, and is of record in said Clerk's Office in J. D. 4, page 190.

SIXTH: T. J. Cox and R. A. Cox, trading as T. J. Cox & Son., vs. S. L. Edwards, bearing date of October 29, 1915, for the sum of One Hundred and Ten (\$110.00) Dollars, with interest from September 27, 1916, and Six Dollars and Fifty-five cents (\$6.55) costs, and is of record in said Clerk's Office in J. D. 3, page 190.

SEVENTH: Joe F. Ball, Administrator of E. C. Ball dec'd vs. S. L. Edwards, bearing date of May 9, 1916, for the sum of

Forty (\$40.00) Dollars, with interest from June 14, 1910, and Ten Dollars and Fifty cents (\$25.50) costs, of record in said Clerk's Office in C. D. 3, page 210.

That the rents and profits of the said real estate, will not satisfy your Complainant's judgment, and the other liens above enumerated in five years; and,

That your Complainant believes that some of the liens above enumerated have been paid in full, and that others have been paid in part, but your Complainant is not in position to give definite information as to this allegation;

In further consideration whereof, and for as much as your Complainant is powerless to do otherwise, save in a Court of equity, your Complainant prays that the said S. L. Edwards, S. G. Edwards, A. S. Johnson, Trustee, Merchants & Farmers Bank, C. W. Warren, George F. Whitley, Trustee, E. H. Williams, Substituted Trustee, Bank of Southfield, George Lee Edwards, Trustee, George Lee Edwards, A. C. Lyon, Linwood Edwards, Trustee, George W. Dell, E. H. Williams, Trustee, G. G. Genier, may be made parties defendants to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that all proper orders and decrees may be made, inquiries directed and accounts taken; that an account be taken of all liens against the said lands, together with the credits thereon, the order of their priority and whether any of said liens are voluntary and without consideration; that, if it shall appear that the rents and profits of the said real estate will not satisfy, in five years, your Complainant's judgment, and all prior liens to the said judgment, the said real estate or so much thereof as may be necessary be sold to satisfy your Complainant's said judgment and all prior liens thereto; that, if the rents and profits of said real estate will satisfy your Complainant's said judgment and all prior liens thereto, in five years, the said lands shall be rented out, and the rents and profits therefrom be applied to your Complainant's judgment, and liens prior thereto, until the said liens have been

fully satisfied; that, proper Attorney's fees may be paid to your Complainant's Attorney for his services in this cause; and, that your Complainant may have all such further and other and general relief in the premises as the nature of his case may require or to equity shall seem meet.

Katie Hearn McDarden
By Counsel. Adm.

C. Fairfield Whitley, Jr.

Katie Henry Allen
of
Vincennes Garden, Dec'd Plaintiff.

3

vs. In Chancery.

S. L. Edwards, S.G. Edwards

et als, defendants.

12/3/24

15th Dec. Rules 1924

Process for all defendants
except S. L. Edwards & A. C.
Lyon returned executed, &
filed 12th Dec. Rules.
Parties served with process
not appearing to plead or
answer. Cause set down
as to them for hearing.
Bills filed. Continued.

C. F. WHITLEY
ATTORNEY AT LAW
PHOEBUS, VA.

Abra Sum rising for S. L. Edwards

& A. C. Lyon - returns to
2nd July Rules.

No.

Know all Men by These Presents: That we

and C. F. Whitley,

George F. Whitley, E. H. Williams,

principal

and

The Fidelity And Deposit Company Of Maryland,

suret

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of

Twelve Thousand

Dollars,

to the payment whereof well and truly to be made we bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

And as to this bond we hereby severally waive the benefit of our Homestead Exemption, and also any right, claim or privilege to discharge any liability arising hereunder to the said Commonwealth, or by virtue of the said office or trust for which this bond is given, with coupons detached from the bonds of this State.

IN TESTIMONY WHEREOF, the said George F. Whitley, E. H. Williams, and C. F. Whitley, principal

and the said The Fidelity And Deposit Company Of Maryland

suret

by

R. A. Edwards

, its duly authorized

agent and attorney in fact, has caused its corporate name and seal to be hereunto affixed, the said seal to be attested

by the signature of the said

R. A. Edwards

, its said agent and attorney

in fact, this, the

16th

day of

November

A. D. 19

25

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

George F. Whitley, E. H.

Williams, and C. F. Whitley, who were appointed Special Commissioners by the Circuit

Court of the County of Isle Of Wight, Virginia, by decree entered on the Chancery

side thereof, on the 14th day of November 1925, in the suit therein pending under

the style of Katie Katie Hearn, nee Darden Admstrx., Vs. S. L. Edwards, et als, dock-

et number 452,

shall faithfully discharge the duties of his office or trust as such Special Commissioners,

, then the above obligation to be void, or else to remain in full force and virtue.

George F. Whitley

[SEAL]

E. H. Williams

C. F. Whitley

Fidelity and Deposit Company of Maryland

By

By R. A. Edwards

Attorney-in-Fact

Its duly authorized agent and attorney in fact.

Attest:

R. A. Edwards

Agent and attorney in fact.

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 16th

day of November 1925, this bond was duly executed and acknowledged by the obligors to the same

and ordered to be recorded.

R. A. Edwards

Clerk.

Walter Hearn, m. Doan

vs } Cy. # 452

S. L. Edwards et al.

Nov. 16th TERM 19.25 Filed

A. A. Edwards CLK.

August 25th 1925.

Mr. R.A. Edwards, Clerk,
Isle of Wight, Va.
Dear Gus:

Re: Katie Hearn vs. S.L. Edwards, et als.

You will find enclosed herewith the summons in the above case for Lee Edwards and Lyons, as requested by you. You will note that they are not returned by the West Va., officers. I mailed one to Norfolk W.Va., to be served upon Lee and it went to the City Sergeant in Norfolk, Va., who took my money and returned it to me. Any dumb-bell could have read my letter and told that it was directed to the Sergeant in W.Va., and as a fact, the summon was directed to W.Va. After this I became disgusted in proceeding this way and asked you to issue an order for publication.

I am,

Very truly yours,

J. A. H.

Virginia.

To The Clerk of the Circuit Court of
County:

In re Dordans, Administrator.

vs.

S. L. Edwards et al.

Please issue process for S. L.
Edwards - directed to Sheriff or Sgt of
Warfield, West Virginia - and process
for A. C. Lyon directed to Sheriff
West Virginia - returnable to the
2nd July Rules. 1925 or
third Monday in July.

C. F. Whitey aty.

A.C.

A.A.C.

As requested.

6/9/25-

Process sent to the City.

4
Darius Admstr

vs. Ch. 452

S. L. Edwards et al

Filed
6/19/25

VIRGINIA,

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

- - - - -

Katie Hearn, nee Darden, Administratrix,
of Virginus Darden..... Plaintiff.

v.) In Chancery. #452

S. L. Edwards et als..... Defendants.

- - - - -

This cause came on this day to be again heard on
the papers formerly read and on the report of C. F. Whitley,
E. H. Williams and Geo. F. Whitley, Special Commissioners,
this day by leave of Court filed, to which report there
are no exceptions, and was argued by Counsel;

And it appearing from said report that said Special
Commissioners have paid the costs in this suit, together
with Counsel fees, and have taken from Geo. W. Delk and
Mattie W. Gwaltney receipts as directed by a former decree
entered herein, on consideration whereof the Court doth
confirm the said report.

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

13

Hearn, nee Darden

v.

S. L. Edwards et als.



DECREE.

1946
Janet
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CoB # 8
page 319.

VIRGINIA,

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

.....

Katie Hearn, nee Darden, Administratrix,
of Virginus Darden..... Plaintiff.

v.) In Chancery.

S. L. Edwards et als..... Defendants.

.....oOo.....

This cause came on this day to be again heard on the papers formerly read and on the report of sale by C. F. Whitley, E. H. Williams and Geo. F. Whitley, Special Commissioners, herewith filed, to which report there are no exceptions, and was argued by counsel;

And it appearing to the Court from the said report that the land in the bill and proceedings in this cause mentioned and described in said report was sold at public auction, in front of the office of E. H. Williams in the town of Smithfield, Virginia, on Tuesday, December 1st, 1925, at twelve thirty o'clock P. M., according to the terms and in pursuance of a decree entered in this cause on the ____ day of _____, 1925, at which sale Geo. W. Delk became the purchaser of so much of said property as follows: "All that certain tract of land situate in Newport Magisterial District, in the said County and State, containing eighty five acres, more or less, and bounded by the lands formerly belonging to Mrs. R. T. Dick, the land formerly belonging to R. H. Parker and the Young Mill Pond, and the road leading from Scott's Factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by Deed from W. H. Dick et ux bearing date Jan. 6, 1904, and of record in the Clerk's Office of this Court in D.B. 69 p. 102. Second: "All that certain tract of land situate in Newport

Magisterial District in the said County and State, containing One Hundred and thirty five acres, more or less, and bounded by the lands of Ed Horne, deceased, Armistead Whitley, Emma Virginia Whitley, et als. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, unmarried, the said deed dated Dec. 4, 1907, and of record in the said Clerk's Office in D.B. 75, p. 375."

Third; "All that certain tract of land situate in Newport Magisterial District in the said County and State, containing thirty six and one half acres, more or less, and bounded by the lands of Gus Holloway, deceased, E. V. Whitley, County road leading from Scott's Factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, unmarried, dated July 1st, 1908, and of record in the Clerk's Office of said Court in D. B. 75, p. 556;" that the property in Section 1 was knocked out to the said Geo. W. Delk for the sum of Five Thousand Dollars (\$5000.00); that the said property in Section 2 was knocked out to him at Seven Hundred Dollars (\$700.00); that the property in Section 3 was knocked out to him for the sum of One Thousand Dollars (\$1000.00); that Mattie W. Gwaltney, being the highest bidder therefor became the purchaser of the property in Section 4, described as follows: "All that certain tract of land situate in Newport Magisterial District in said County and State, containing ten acres, more or less, and bounded and described as follows: Beginning at a pine stump on the south side of the County road leading from Scott's Factory to Longview, thence in a Southerly direction to a chopped gum in a swamp at a marl hole, thence up said swamp to a ground bridge on the said County road, thence up said road to the point of beginning. It being the same land conveyed to the said Sallie G. Edwards by deed from E. H. Williams and Geo. F. Whitley;" that the property in Section

4 was knocked out to the said Mattie W. Gwaltney for the sum of Six Hundred Dollars (\$600.00); and in pursuance of the aforesaid decree, the said purchasers have deposited with the said Commissioners a sum equal to fifteen percent of the purchase price of the said property; on consideration whereof, the Court doth confirm the said sales and doth adjudge, order and decree that the said Special Commissioners do execute and deliver to the said purchasers good and sufficient deeds, with covenant~~of~~ of Special Warranty, for the lands, ~~taking~~^{take} from the said purchasers their receipts^{said} as a credit on their respective liens, as shown by the Commissioner's report, for the balance of the purchase price.

And it further appearing to the Court that the costs of this suit is as follows:

Clerk's fees.....	\$20.10
Order of Publication.....	10.00
Writ tax.....	1.50
Commissioner in Chancery.	35.00
Tax Attorney's fee.....	15.00
Crier's fee.....	15.00
Premium on bond.....	36.00
Sheriff's fees.....	4.00
Printing hand bills.....	3.00
Drawing two deeds.....	20.00
Acknowledgements.....	3.00
Revenue Stamps.....	8.00
Special Com'rs. Commiss.	155.00
Total	\$325.60

the Court doth further adjudge, order and decree that the said Special Commissioners, out of the funds now in their hands, pay the cost of this suit, as above mentioned, and a fee of Two Hundred and Seventy Dollars (\$270) to C. F. Whitley, Geo. F. Whitley and E. H. Williams, Attorneys in this cause, and that the residue of the said funds in the hands of the said Commissioners be paid pro rata according to the amount of the purchase price of the respective tracts of land to the purchasers, Geo. W. Delk and Mattie W. Gwaltney,

And the said Commissioners shall make report to Court how they have executed this decree.

And this cause is continued.

August further appearing that the sum of said sales is not sufficient to pay the liens decreed by the order of Court mentioned in the report of Commissioner, Edwards, which liens of said bonds of Trust have become the respective personal liabilities of the said named, the Court doth direct said Special Commissioners to

11
Katie Hearn, nee Darden,
Adminstratrix

v) In Chancery.

S. L. Edwards, et als.

D E C R E E .

1915
Dec. 15.
Enter this
B.W.

Book 8
Page 311

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Katie Hearn nee Darden, Administratrix
of Virginus Darden, deceased, ... Plaintiff,

vs.

IN CHANCERY.

S. L. Edwards, S. G. Edwards, A. S. Johnson,
Trustee, Merchants & Farmers Bank, C. W. Warren,
George F. Whitley, Trustee, E. H. Williams,
Substituted Trustee, Bank of Smithfield, George
Lee Edwards, Trustee, George Lee Edwards, A. C.
Lyon, Linwood Edwards, Trustee, George W. Delk,
E. H. Williams, Trustee, G. G. Genier, ... Defendants.

This cause came on this day to be again heard upon the
papers formerly read, on the report of Commissioner R. A.
Edwards, filed November 2, 1925, with the testimony of wit-
nesses therewith filed, to which report there are no excep-
tions, and was argued by counsel.

And it appearing ~~to the Court~~ from the said report that
the total annual value of the hereinafter described land is
\$640.00; that the total fee simple value ^{is} ~~if~~ \$11,125.00; that
the following are the liens against said property, together
with their priorities, to-wit:

1/- A deed of trust made by S. L. Edwards and Sallie G.
Edwards, dated January 10, 1910, to A. S. Johnson, Trustee, to
secure C. W. Warren, ~~of the town of Smithfield, Virginia,~~ the
sum of \$5,000.00, evidenced by bond of even date with the said
trust deed; ~~and made by S. L. Edwards and Sallie G. Edwards,~~
~~payable on demand,~~ with interest from date, and which said trust
deed is a lien upon a tract of land containing 85 acres, a tract
of 36½ acres, and a tract of 135 acres, ~~all of which tracts~~
^{was} stand in the name of S. L. Edwards, and are herein before des-
cribed. Said deed having been admitted to record in the afore-
~~said Clerk's Office on~~ January 11, 1910, in D.B. 78, at page 86.

2- A deed of trust made by Sallie G. Edwards and S. L. Edwards, her husband, to G. F. Whitley, trustee, to secure H. B. Chapman, the sum of \$400.00, evidenced by four negotiable notes of even date, payable 1, 2, 3 and four years from date, with interest from date, payable annually on the first day of January each year, said notes being signed by Sallie G. Edwards and S. L. Edwards, ~~the said deed of trust~~ is dated January 16, 1911, and is a lien upon that certain tract of land containing 10 acres, more or less, and standing in the name of Sallie G. Edwards, *and*

~~This deed of trust admitted to record in the Clerk's Office of Isle of Wight County on Feb. 1, 1911, in Deed Book 78, page 477.~~

3- A deed of trust made by S. L. Edwards and Sallie G. Edwards, dated March 18, 1911, to George F. Whitley, trustee, to secure to Merchants and Farmers Bank, of Smithfield, Va., the payment of the sum of \$1,200.00, evidenced by a negotiable promissory note of even date with said deed of trust, payable 90 days after date, ~~said note being signed by S. L. Edwards and S. G. Edwards~~ and is a lien upon the following property, a tract of land containing 85 acres, and in the name of S. L. Edwards, a tract of 36½ acres in the name of S. L. Edwards and a tract of land containing 135 acres, in the name of S. L. Edwards, as well as certain personal property mentioned in said deed. Said deed having been admitted to record ~~in the aforesaid Clerk's Office~~ March 20, 1911, in D. B. 78, page 569.

4- A deed of trust made by Sallie G. Edwards and S. L. Edwards, her husband, to C. J. Cofer, trustee, dated the 16th day of April, 1915, and to secure Andrew Cofer ~~of Smithfield, Va.,~~ the sum of \$625.00, evidenced by a negotiable note of even date for that amount, ~~signed by parties of the first part thereto and payable January 1, 1916,~~ with interest from date, which said deed of trust is a lien upon the tracts of land standing in the

name of Sallie G. Edwards, supposed to contain 10 acres, more or less, according to land book of said County, but estimated to contain only $7\frac{1}{2}$ acres. Said deed of trust having been admitted to record ~~in the Clerk's Office aforesaid on~~ the 16th day of April, 1915, in D. B. 84, page 297.

5- A deed of trust made by S. L. Edwards and Sallie G. Edwards, his wife, and Sallie G. Edwards, in her own right, ~~to E. H. Williams, substituted trustee,~~ dated October 12, 1915, to secure Bank of Smithfield, ^{the} payment of the sum of \$775.00 evidenced as follows, by one ~~promissory note of even date therewith,~~ payable 60 days after date, for the sum of \$525.00, and one ~~promissory note of even date therewith~~ payable December 15, 1915, for the sum of \$250.00; ~~both of said notes made by Sallie G. Edwards and S. L. Edwards.~~ ^{to} The same being a lien upon ~~the following tracts of land,~~ a tract of 85 acres standing in the name of S. L. Edwards, a tract of $36\frac{1}{2}$ acres standing in the name of S. L. Edwards, and a tract of 135 acres standing in the name of S. L. Edwards and one tract containing $7\frac{1}{2}$ acres (sometimes called 10 acres) standing in the name of Sallie G. Edwards, also certain personal property, ^{and admitted to} ~~as by the said trust deed enumerated.~~

~~This deed of trust having been entered of record in the aforesaid Clerk's Office on~~ October 13, 1915, in D. B. 84, page 460.

6- A deed of trust made by S. L. Edwards and Sallie G. Edwards, to Geo. L. Edwards, trustee, dated the 19th day of January, 1916, to secure A. C. Lyon the sum of \$1,235.00, evidenced by a negotiable _____ of even date therewith, payable on demand, ~~executed by S. L. Edwards,~~ and also to secure to Linwood Edwards the payment of the sum of \$300.00, evidenced by a negotiable note of even date therewith, payable on demand, ~~executed by said S. L. Edwards.~~ Said deed of trust being a lien on a tract of land containing 85 acres, a tract of 35 acres, and a tract of 135 acres, all standing in the name of S. L. Edwards, as well.

as certain personal property ^{and} ~~enumerated in said deed.~~

~~This deed of trust recorded February 5, 1916, in D. B. 84, page 617, in the Clerk's Office of Isle of Wight County.~~

7. A deed of trust made by S. L. Edwards and Sallie G. Edwards, to V. W. Joyner, trustee, dated May 16, 1916, and made to secure J. E. Warren ~~of Smithfield, Virginia,~~ ^{the} payment of the sum of \$700.00, also to secure C. S. Betts and Co., ^{refers} ~~of Smithfield, Va.,~~ the payment of the sum of \$251.98, also to secure J. M. Chapman, ~~of Smithfield, Va.,~~ the payment of the sum of \$149.15, all of said sums being evidenced by notes of even date therewith, payable 30 days after date, ~~executed by the said S. L. Edwards,~~ bearing ^{note} interest from date ~~at the rate of 6%,~~ also given as additional security to secure payment of a certain note of \$1200.00 and secured by a deed of trust bearing date March 18, 1911, and of record in D. B. 78, page 596, said note bearing date October 7, 1914, and payable in 30 days after date to J. R. Rowell, Jr., cashier and by the said J. R. Rosell, Jr., cashier, assigned to Virginus Darden, it being further stipulated in said deed of trust that J. E. Warren, C. S. Betts and Co., ^{refers} and J. M. Chapman, should share pro-rata in any ^a funds arising from ^{the} sale of any property conveyed by said deed, which said trust deed is a lien upon the following tracts of land, a tract of 85 acres, more or less, a tract of 36 $\frac{1}{2}$ acres, more or less, and a tract of 135 acres, more or less, all standing in the name of S. L. Edwards, and as well as certain personal property, as by said trust deed enumerated. ^{and}

~~This deed of trust having been admitted to record in the Clerk's Office of Isle of Wight County, on May 18, 1916, in D. B. 84, page 92.~~

8:- A deed of trust made by S. L. Edwards and Sallie G. Edwards to E. H. Williams, trustee, dated June 26, 1918, made in trust to secure the holder, payment of the following notes, to-wit: one note for \$150.00, of even date herewith, and payable 90 days after date, to bearer, and one note for \$500.00, of even date herewith, payable 90 days after date to bearer, both of said notes bearing interest from date; ~~and executed by said parties of the first part thereto.~~ ^t The same being a lien upon the following tracts of land, a tract of 35 acres ~~(evidently meaning 36 $\frac{1}{2}$ acres)~~, a tract of 85 acres, and a tract of 135 acres, all standing in the name of S. L. Edwards, as well as certain personal property by said trust deed enumerated, *and*

~~This deed of trust admitted to record in the Clerk's Office of Isle of Wight County on June 3, 1918, in D. B. 88, page 158.~~

9:- A deed of trust made by S. L. Edwards and Sallie G. Edwards to Linwood Edwards, trustee, dated April 28, 1919, to secure G. G. Genier, of Norfolk County, the sum of \$2000.00 evidenced by a negotiable note of even date therewith, payable on demand, ~~interest from date, and made by the parties of the first part, thereto,~~ which said trust deed is a lien upon the following property, a certain tract of land containing 88 acres ~~(evidently meaning 85 acres tract)~~, a tract of 35 acres ~~(evidently meaning 36 $\frac{1}{2}$ acres)~~, and a 135 acres tract of land, all standing in the name of S. L. Edwards, and that certain tract of land containing 10 acres, more or less, standing in the name of Sallie G. Edwards,

~~This deed of trust ^{and} was admitted to record in the Clerk's Office aforesaid, in D. B. 88, page 460, on April 30, 1919.~~

10:- A deed of trust made by S. L. Edwards and Sallie G. Edwards, to Linwood Edwards, trustee, dated December 1, 1919, and made to secure G. G. Genier of Norfolk County, Va., the payment of

the sum of \$3000.00, evidenced by a negotiable note of even date therewith, payable on demand, bearing interest from date, and is a lien upon the following property, a certain tract of land containing 88 acres ^{the} (meaning 85 acres) in name of S. L. Edwards, and a tract of 35 acres (meaning 36 $\frac{1}{2}$ acres), and a tract of 135 acres, all standing in the name of S. L. Edwards, and ~~that a~~ ^a certain tract of land containing 10 acres, more or less, standing in the name of Sallie G. Edwards:

~~This deed of trust~~ ^{Deed} admitted to record in the Clerk's Office of Isle of Wight County on December 29, 1919, in D. B. 90, page 23

Your Commissioner begs leave to report the following judgments found of record in the Clerk's Office of Isle of Wight County:

✓ 11.- A judgment in favor of Thos. V. Short, dated Feb. 3, 1912, vs. S. L. Edwards and American Peanut Harvester Corporation, for the sum of \$201.25, with interest from May 1, 1911, till paid and 8.65 cost: ~~Said judgment having been rendered in Hustings Court of the City of Petersburg, and docketed in the Clerk's Office of this County on March 1, 1912, in J.L.D. #3, page 145.~~ ^{payment} ~~J.L.D. docket~~

✓ 12.- A judgment in favor of T. J. Cox and Son vs S. L. Edwards for \$110.00, with interest from Sept. 27, 1915, till paid, and 6.56 cost. ~~Said judgment having been rendered by the Circuit Court of Isle of Wight County, October 29, 1915, and docketed Nov. 29, 1915, in J.L.D. #3, page 190.~~ ^{Judgment docketed}

✓ 13.- A judgment in favor of Katie Darden, administratrix of Virginus Darden, against S. L. Edwards, Sallie G. Edwards and G. L. Edwards, for the sum of \$300.00, with interest from Dec. 29, 1914, till paid and 7.52 cost:

~~Said judgment was rendered by the Circuit Court of Isle of Wight County, on Feb. 7, 1916, and docketed on March 25, 1916, in J. L. D. #3, page 201.~~ ^{Judgment docketed}

~~The said plaintiff in this judgment being the plaintiff to this suit.~~

✓ 14 A judgment in favor of J. F. Bell, administrator of B. C. Bell, estate, against S. L. Edwards, for the sum of \$40.00, with interest from June 14, 1916, till paid, and 2.50 cost.

~~The same having been rendered by M. F. Jordan, a Justice of the Peace of the County of Isle of Wight, on the 6th day of May, 1916, and docketed in aforesaid Clerk's Office on June 14, 1916, in J. L. D. #3, page 210.~~

✓ 15 A judgment in favor of W. T. Phillips and D. U. Pitt, partners trading as Phillips and Company, against S. L. Edwards for the sum of \$168.25, with interest from March 1, 1916, till paid and 7.48 cost.

~~The same having been rendered in the Circuit Court of Isle of Wight County on August 8, 1916, and docketed in the Clerk's Office aforesaid on August 21, 1916, in J. L. D. #3, page 217.~~

✓ 16 A judgment in favor of W. P. Boyce against S. L. Edwards for the sum of \$125.00, with interest from Dec. 27, 1916, till paid, and 2.50 cost. ~~The same having been rendered in the Justice Court of this County on April 16, 1917, and docketed May 16, 1916, in the Clerk's Office aforesaid, in J. L. D. #4, page 8.~~

✓ 17 A judgment in favor of Farmers Manufacturing Co. against S. L. Edwards for the sum of \$20.00, with interest from Sept. 1, 1916, till paid, and 2.50 cost.

~~The same having been rendered by M. F. Jordan, a Justice of the Peace of this County on the 26th day of Sept. 1916, and docketed in the Clerk's Office aforesaid on May 16, 1917, in J. L. D. #4, page 8.~~

✓ 18.- A judgment in favor of Virginia Manufacturing Co. vs S. L. Edwards, for the sum of \$120.00, with interest from Nov. 1, 1922, till paid and 3.30 cost:

~~This judgment was rendered by J. W. Stott, a Justice of the Peace of this County on Sept. 8, 1923, and docketed in the Clerk's Office aforesaid on October 2d, 1923, in J. L. D. #4, page 176.~~ *Judgment Docketed*

✓ 20.- A judgment in favor of D. W. Chapman and Co. vs S. L. Edwards, for the sum of \$113.17, with interest from Dec. 1, 1920, till paid and 3.30 cost:

~~This judgment was rendered by J. W. Stott, a Justice of the Peace on Feb. 2, 1924, and docketed in the Clerk's Office aforesaid in J. L. D. #4, page 190, on Feb. 4, 1924.~~ *Judgment Docketed*

That the delinquent taxes for the years 1923 and 1924, amount to \$28.04; together with the taxes for the current year, and that all the proper and necessary parties are properly before the court; that the land in the bill and proceedings of this cause mentioned and described, will not within five years rent for enough to pay the lien of the above named plaintiff and liens prior thereto. On consideration whereof, the Court, confirming the said report, doth adjudge, order and decree, that C. F. Whitley, George F. Whitley and E. H. Williams, who are hereby appointed Special Commissioners for the purpose, any two of whom may act, do, after ^{having} first advertised the time, place and terms of sale for a period of ten days, by hand bills posted in ten or more public places, in the County of Isle of Wight, Virginia, sell, in parcels as herein set forth, the property in the bill and proceedings of this cause mentioned and described as follows, to-wit:

FIRST: That all that certain tract, piece or parcel of land, lying, being and situate in Newport Magisterial district, in the said County and State, containing eighty-five (85) acres, more or less, and bounded by the lands formerly belonging to

Mrs. R. T. Dick; the land formerly belonging to R. H. Parker, and the N. P. Young millpond, and the road leading from Scott's factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from W. H. Dick, et ux, ~~the said deed bearing date of January 6, 1904, and is of record in the Clerk's Office of this Court in D. B. Number 69, page 102.~~

SECOND: All that certain tract, piece or parcel of land, lying, being and situate in Newport Magisterial District, in the said County and State, containing one hundred and thirty-five (135) acres, more or less, and bounded by the lands of Ed Horne, deceased, Armstead Whitley, Emma Virginia Whitley, et als. It being the same land conveyed to the said S. L. Edwards, by deed from H. B. Chapman, un-married, ~~the said deed bearing date of December 4, 1907, and is of record in the said Clerk's Office in D. B. 75, page 375;~~

THIRD: All that certain tract, piece or parcel of land, lying, being and situate in the said Newport Magisterial District, in the said County and State, containing thirty-six and one-half ($36\frac{1}{2}$) acres, more or less, and bounded by the lands of Gus Holloway, deceased, E. V. Whitley, County Road leading from Scott's factory to Smithfield. It being the same land conveyed to the said S. L. Edwards, by deed from H. B. Chapman, unmarried, ~~said deed bearing date of July 1, 1908, and is of record in the Clerk's Office of said Court in D. B. 75, page 556.~~

FOURTH: All that certain tract, piece or parcel of land, lying, being and situate in said Newport Magisterial District, in said County and State, containing ten (10) acres, more or less, and bounded and described as follows, to-wit; beginning at a pine stump on the South side of the County road, leading from Scott's factory to longview, thence running in a Southerly direction in a straight line to the chopped gum in a swamp at a marl hole; thence up said swamp to a ground bridge on the

said County road; thence up said road to the point of beginning.

It being the same land conveyed to the said Sallie G. Edwards by ~~deed from~~ E. H. Williams and George F. Whitley, Special Commissioners, ~~said deed bearing date of April 10, 1915,~~ and ~~is~~ of record in the ~~Clerk's Office of the said Court,~~ in D B. 83, page 496; at public auction, in front of the office of E. H. Williams, in the town of Smithfield, Virginia, upon the following terms, to-wit: For cash, ~~upon confirmation of sale;~~ ^{at the time of sale} but the highest bidder at said sale shall pay to the said Commissioners a sum equal to fifteen per cent of the purchase price ~~at the time of sale,~~ and if the said bidder should fail to make said deposit, then said Special Commissioners shall forthwith at the same time and place, proceed to again sell said property ~~so bid in,~~ ^{from the time of sale} and if said bidder shall fail, within ten days to pay the remainder of said purchase price, then the deposit so made shall, in ~~addition~~ ^{addition} to any other remedies, be forfeited to this cause.

But before the said Special Commissioners shall do any act under this decree, they shall first give bond before the Clerk of this Court in the penalty of \$12,000.00, with ~~security~~ ^{surety} deemed sufficient by the said Clerk, and conditioned for the faithful performance of their duties under this and all subsequent decrees in this cause.

And the said Commissioners shall make report to Court how they have executed this decree.

9/10
VIRGINIA: IN THE CIRCUIT
COURT OF ISLE OF WIGHT
COUNTY.

KATIE HEARN, nee Darden,
Plaintiff,
v. IN CHANCERY.

S. L. EDWARDS, ET ALS.,
Defendants.

DECREE.

1905
Nov. 14

Enter this
Book

Book
Page 302

VIRGINIA:

IN THE CIRCUIT COURT OF THE 13TH JUDICIAL CIRCUIT.

Katie Darnett Darnett, Administratrix
of Virginias Darnett, dec'd, ...Plaintiff.

vs. In Chancery.

S. L. Edwards, S. G. Edwards, A. S. Johnson,
Trustee, Merchants & Farmers Bank, U.
W. Warren, George F. Whitley, Trustee, F.H.
Williams, Substituted Trustee, Bank of Smith-
field, George Lee Edwards, Trustee, George Lee
Edwards, A. C. Lyon, Linwood Edwards, Trustee,
George W. Dalk, E. H. Williams, Trustee, G. G.
Denier, ...Defendants.

This cause, came on this day to be heard upon the
plaintiff's bill, regularly filed at rules, the defendants
upon whom process have been duly served, (except the defend-
ants G. Lee Edwards and A. C. Lyon,) ~~they being in default~~
~~and~~, still failing to appear, answer or demur, and was
argued by Counsel;

On consideration whereof, it is adjudged, ordered
and decreed that this cause be, and the same is hereby re-
ferred to R. A. Edwards, one of the Commissioners in Chan-
cery of this Court to take, state and report an account show-
ing: *1: What real estate the Defendants S. L. Edwards
Sallie G. Edwards are seized and possessed.*
~~2: The annual and fee-simple values of the respec-~~
~~tive tracts of land of which S. L. Edwards~~ *and Sallie G. Edwards* ~~are~~
~~seized.~~

~~3: The annual and fee-simple values of the real
estate of which Sallie G. Edwards is seized and possessed;~~

~~4: The amount of the claims against the respective
tracts of land of the said S. L. Edwards, together with their
nature and respective amounts and priority.~~

~~5: An account of the claims of the said Sallie
G. Edwards, together with their nature, respective amounts
and priority.~~

4-
4th: Whether the rents and profits from the said lands
will within five years pay the several liens thereon; and,

5-
5th: Such other matters as any party in interest may
require, the same being pertinent, or such other matters
as said Commissioner may deem pertinent, whether so request-
ed or not.

*
A

And the said Commissioner shall make report to
Court how he has executed this decree.

* ^{6th} 6th: Whether all the necessary and
proper parties are properly before the
Court.

9

Marie Heath, Adm'r, Winchester

452

Vol. 1a Chancery.

S.I. Board, at Alb. District

1925
Sept 30
Entered
R.D.

Book 8
p. 291

C. F. WHITLEY
ATTORNEY AT LAW
PHOEBUS, VA.

Received from the sale of the land in the suit of Katie Hearn, nee Darden, Administratrix, v; S. L. Edwards, et als, the sum of Sixty One Hundred, Fifty Three Dollars and forty cents (\$6153.40), to be applied to the lien indebtedness due by S. L. Edwards to me, less delinquent taxes and current taxes now due.

Received also from C. F. Whitley, E. H. Williams and Geo. F. Whitley, Special Commissioners in the above suit Four Hundred fifty eight dollars and forty cents (\$458.40), balance due me after the payment of cost and fees, out of the fifteen percent deposit.

Given under my hand this 30th day of December, 1925.

Geo. W. DeLk

Received from the sale of the land in the suit of Katie Hearn, nee Darden, Administratrix, v. S. L. Edwards, et als, the sum of Five Hundred and Fifty one Dollars (\$551.00), to be applied to the lien indebtedness due by S. L. Edwards to me, less delinquent and current taxes now due.

Received also from C. F. Whitley, E. H. Williams and Geo. F. Whitley, Special Commissioners in the above suit, Forty nine Dollars (\$49.00), balance due me after the payment of the cost and fees, out of the fifteen percent deposit.

Given under my hand this 30th day of December, 1925.

Mattie H. Gwaltney

12

Hearn, nee Darden

v.

S. L. Edwards et als.

Special Commissioners'

Report.

Received of C. F. Whitley, E. H. Williams and Geo. F.
Whitley, Special Commissioners in the suit of Katie Hearn,
nee Darden, Administratrix, v. S. L. Edwards-----\$3.00
Three-----00/100----Dollars.
For acknowledgements to Special Commissioners' Deeds.

Jane Johnson

Jan. 1, 1926.

Received of C. F. Whitley, E. H. Williams and Geo. F.
Whitley, Special Commissioners in the suit of Katie
Hearn, nee Darden, Admr'x, v. S. L. Edwards et als--\$270.00
Two Hundred and Seventy and-----00/100--Dollars.
Counsel fees.

City, { C. F. Whitley
E. H. Williams
Geo. F. Whitley

Dated December 30, 1925.

Dec. 31st 1925

Recd of E. H. Williams,
C. Fairfield Whitley, and Geo. F.
Whitley, special Commissioners,
Twenty dollars, in full
settlement for Sheriff's fee and
Crier's fee, Katie Vardner ~~Adopt.~~
vs S. L. Edwards, et al.

H. H. Chapman
Sheriff.

1900



Smithfield, Va., *Jan. 1,* 192*5*

Geo. F. Whitley

City

To SMITHFIELD TIMES, Dr.

A First Class Advertising Medium for Isle of Wight
and Surry Counties

OVER 1,400 SUBSCRIBERS

JOB-PRINTING A SPECIALTY

*For Order publication of Kate Heam, nee
Harden, Adm'r. V. Edwards et als, 4 times*

\$10 00

Paid 1

EMB

VIRGINIA,

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

Katie Hearn, nee Darden, Administratrix,
of Virginus Darden..... Plaintiff.

v.) In Chancery.

S. L. Edwards et als..... Defendants.

TO THE HONORABLE JUDGE,

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

The undersigned Special Commissioners beg leave to
make the following report:

That they have executed Deeds, with Special Warranty,
conveying the property in the bill and proceedings mention-
ed and purchased by Geo. W. Delk and Mattie W. Gwaltney,
respectively; that they have paid the costs in this suit
as directed by a decree entered in this cause on the ____
day of December, 1925, together with Counsel fees, as will
be shown by receipts for same filed herewith; and, that
they have paid to Geo. W. Delk and Mattie W. Gwaltney their
pro rata of the fifteen percent deposit as made by them
and have taken from the said Geo. W. Delk and Mattie W.
Gwaltney receipts showing said payment and the amount to
be credited on their lien indebtedness against S. L. Edwards
and Sallie G. Edwards.

Respectfully submitted-

C. D. Whitley
Special Commissioner

E. H. Williams
Special Commissioner

Geo. D. Whitley
Special Commissioner

Hearn, nee Darden

v/

S. L. Edwards. et als.

Special Commissioners'

Report.

Public Sale

OF THE S. L. AND SALLIE G. EDWARDS FARMS NEAR SMITHFIELD, VA.

By virtue of authority contained in a decree of the Circuit Court of Isle of Wight County, Virginia, entered on November 14, 1925, in the Chancery suit of Katie Hearn nee Darden, Administratrix, plaintiff, vs. S. L. Edwards et als, we, the undersigned Special Commissioners, will sell at Public auction in front of the office of E. H. Williams, in Smithfield, Va., on

Tuesday, Dec. 1, 1925

BEGINNING AT 12.30 P. M.

1. All that certain tract of land situate in Newport Magisterial District, in said county and State, containing (85) eighty-five acres more or less, and bounded by the lands formerly belonging to Mrs. R. T. Dick, the land formerly belonging to R. H. Parker and the Young mill pond, and the road leading from Scotts Factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from W. H. Dick et ux, bearing date Jan. 6, 1904, and of record in the Clerk's office of this Court in D. B. 69, page 102.

2. All that certain tract of land situate in Newport Magisterial district, in the said county and State, containing one hundred and thirty-five (135) acres, more or less, and bounded by the lands of Ed Horne, deceased, Armstead Whitley Emma Virginia Whitley, et als. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman unmarried, the said deed dated Dec. 4, 1907, and of record in the said Clerk's office, in D. B. 75, page 375.

3. All that certain tract of land situate in Newport Magisterial district, in the said county and State, containing thirty-six and one-half (36½) acres, more less, and bounded by the lands of Gus Holloway deceased, E. V. Whitley, county road leading from Scotts factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, unmarried, dated July 1, 1908, and of record in the Clerk's office of said Court, in D. B. 75, page 556.

4. All that certain tract of land situate in Newport Magisterial district, in said county and State, containing ten (10) acres more or less, and bounded and described as follows: Beginning at a pine stump on the south side of the county road leading from Scotts factory to Longview, thence in a southerly direction to a chopped gum in a swamp at a marl hole, thence up said swamp to a ground bridge on the said county road, thence up said road to the point of beginning, it being the same land conveyed to the said Sallie G. Edwards by deed from E. H. Williams and George F Whitley.

This land will be sold in separate tracts or parcels.

TERMS :— For cash, the highest bidder at said sale shall pay, at the time of sale, to the said Commissioners a sum equal to 15% of the purchase price; and if the said bidder shall fail to make said deposits, then said Special Commissioners shall, at the same time and place, proceed to again sell said property so bid in, and if said bidder shall fail within ten days from the day of sale to pay the remainder of the said purchase price, then the deposit so made shall, in addition to any other remedies, be forfeited to this cause.

November 17, 1925.

GEO. F. WHITLEY
E. H. WILLIAMS
C. F. WHITLEY } Special Commissioners

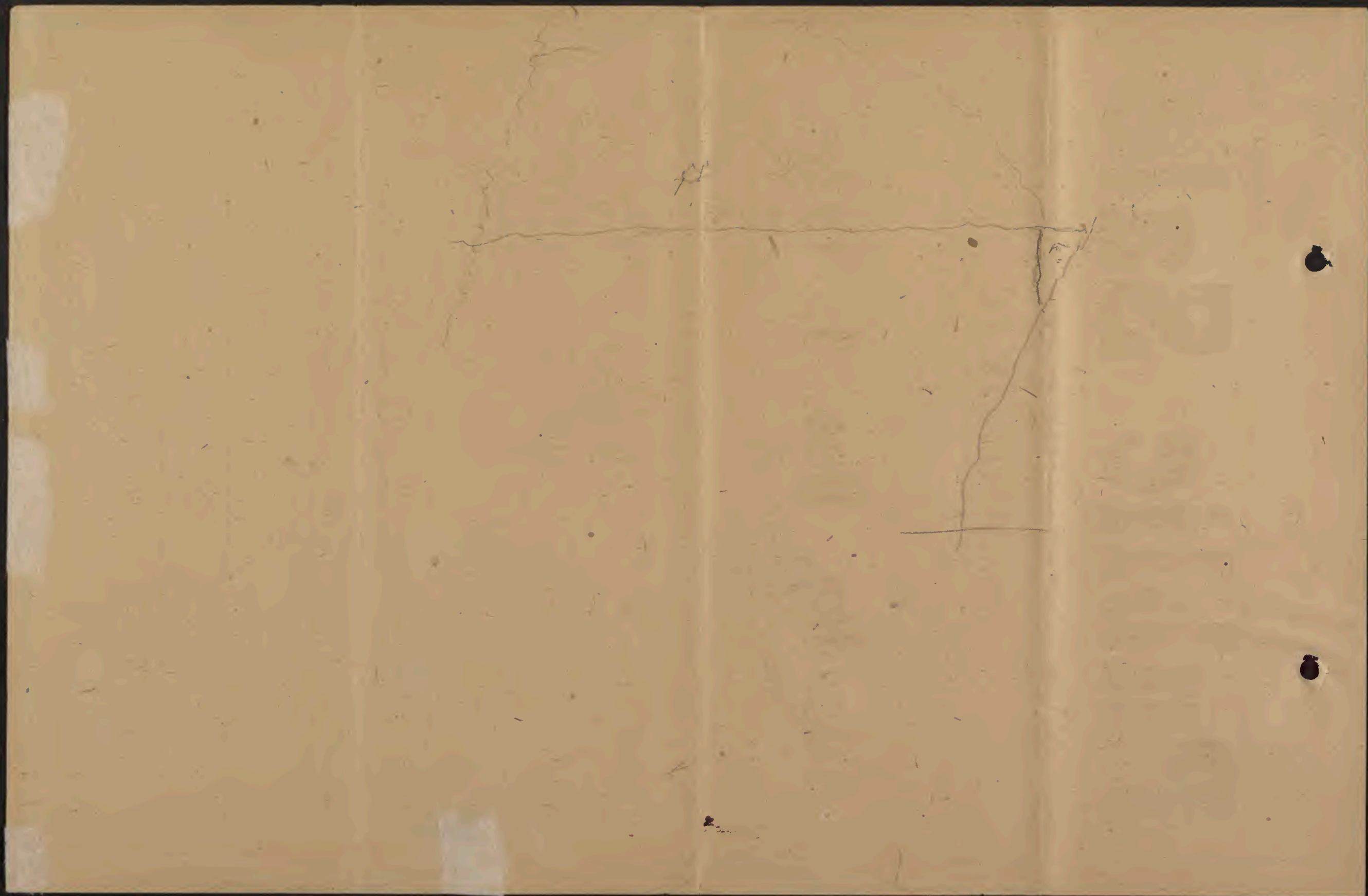
In the Clerk's Office of the Circuit Court of Isle of Wight County, Va:

Katie Hearn, nee Darden, Plaintiff, Vs., Chancery No. 452, S. L. Edwards, et als, defendant.

I, R. A. Edwards, Clerk of the said Court, do certify that the bond required of the Special Commissioners by the decree rendered in said cause on Nov. 14, 1925, has been duly given.

Given under my hand as Clerk of said Court, this 16th day of November, 1925.

R. A. EDWARDS, Clerk.



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

.....

Katie Hearn, nee Darden, Administratrix,
of Virginius Darden..... Plaintiff

v.) In Chancery.

S. L. Edwards, et als..... Defendants.

.....

TO THE HONORABLE JUDGE OF THE SAID COURT:-

The undersigned, C. F. Whitley, E. H. Williams,
and George F. Whitley, Special Commissioners, report
to the Court that in pursuance of a decree entered in
this cause on the _____ day of _____, 1925,
after having first executed the bond required in the
said decree, and after having first advertised the time,
place and terms of sale for the period of time required
by the said decree by hand bills posted in ten or more
public places in the County of Isle of Wight, a copy of
said hand bill being hereto attached and made a part of
this report, did, on Tuesday, December 1st, 1925, at
twelve thirty o'clock P. M., in front of the office of
E. H. Williams in the town of Smithfield, Virginia, offer
for sale, at public auction, the property in the bill and
proceedings mentioned and described as follows: All that
certain tract of land situate in Newport Magisterial District,
in said County and State, containing eighty five acres, more
or less, and bounded by the lands formerly belonging to Mrs.
R. T. Dick, the land formerly belonging to R. H. Parker and
the Young Mill Pond, and the road leading from Scott's Factory
to Smithfield. It being the same land conveyed to the said
S. L. Edwards by deed from W. H. Dick et ux, bearing date

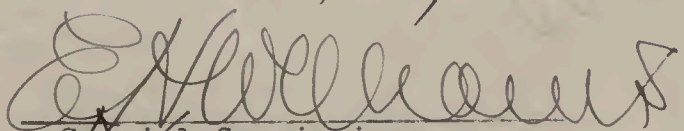
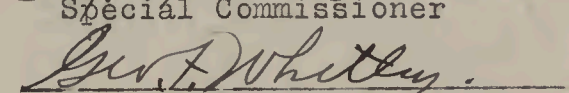
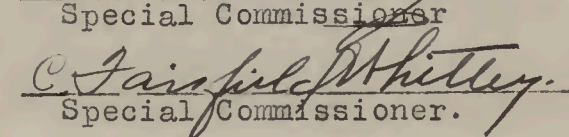
Jan. 6, 1904, and of record in the Clerk's Office of this Court in D. B. 69, page 102. 2nd. All that certain tract of land situate in Newport Magisterial District in the said County and State, containing one hundred and thirty five acres, more or less, and bounded by the lands of Ed Horne, deceased, Armistead Whitley, Emma Virginia Whitley et als. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, unmarried, the said deed dated Dec. 4, 1907, and of record in the said Clerk's Office in D.B. 75, page 375. 3rd. All that certain tract of land situate in Newport Magisterial District, in the said County and State, containing thirty six and one half acres, more or less, and bounded by the lands of Gus Holloway, deceased, E. V. Whitley, County road leading from Scott's Factory to Smithfield. It being the same land conveyed to the said S. L. Edwards by deed from H. B. Chapman, unmarried, dated July, 1908, and of record in the Clerk's Office of said Court in D.B. 75, page 556. 4th. All that certain tract of land situate in Newport Magisterial District, in said County and State, containing ten acres, more or less, and bounded and described as follows: Beginning at a pine stump on the south side of the County road leading from Scott's factory to Longview, thence in a Southerly direction to a chopped gum in a swamp at a marl hole, thence up said swamp to a ground bridge on the said County road, thence up said road to the point of beginning. It being the same land conveyed to the said Sallie G. Edwards by deed from E. H. Williams and George F. Whitley; at which sale Geo. W. Delk, being the highest bidder therefor, became the purchaser of the land described in Section 1, as containing eighty-five acres, for the sum of Five Thousand Dollars (\$5,000.00); at which sale Geo. W. Delk, being the highest bidder, became the purchaser of the said tract of land described in Section 2, as containing One hundred and thirty five acres, for the sum of

Seven Hundred Dollars (\$700.00); at which sale Geo. W. Delk, being the highest bidder therefor, became the purchaser of the said tract of land described in Section 3 as containing thirty six and one half acres, for the sum of One Thousand Dollars (\$1000.00); and that Mattie W. Gwaltney, being the highest bidder therefor, became the purchaser of the said tract of land described in Section 4, as containing ten acres, for the sum of Six Hundred Dollars (\$600.00); and, in pursuance of the terms of the said decree, the said purchasers have deposited with your said Commissioners the sum equal to fifteen percent of the purchase price.

Your Commissioners state that this sale was well advertised, that a fair size crowd attended the same, and that while none of the property brought as much as it was valued at by the witnesses testifying, yet your Commissioners believe that the said property brought a fair price and certainly as much as it would bring if offered for sale again at public auction.

Your Commissioners would recommend a confirmation of the sale of the said property.

Respectfully submitted.


Special Commissioner

Special Commissioner

Special Commissioner.

Katie Hearn, nee Darden, Adm x
of Virginius Darden

v.

S. L. Edwards et als

Special
Commissioner's
Report.

1925
RC 15
Filed J. D. W.

GEORGE F. WHITLEY
ATTORNEY-AT-LAW
SMITHFIELD, VA.