

1927-003 Chancery Cause: H. M. Jones vs Hazel D. Wilson + Dorothy Elizabeth Wilson, by &c
Isle of Wight County

473

other surnames: Fritsch, Beale,
Betts, Cofer

No.

Know all Men by These Presents: That we George F. Whitley,

principal ,

and
The Fidelity & Deposit Company of Maryland,
surety ,

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

principal ,

has hereto set his hand and affixed his seal;

and the said Fidelity And Deposit Company of Maryland

surety ,

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 4th day of January

A. D. 1925

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound George F. Whitley, who was on the 4th day of January 1926, by Decree entered in the Chancery cause of G. M. Jones Vs. Hazel D. Wilson et als., #473, appointed a Special Commissioner for the sale of real estate.,

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

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

George F. Whitley [SEAL]
Fidelity and Deposit Company of Maryland,
By R. A. Edwards
Attorney-in-Fact

By _____

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 4th

day of

19 , this bond was duly executed and acknowledged by the obligors to the same

and ordered to be recorded.

R. A. Edwards Clerk.

a copy.

Test R. A. Edwards att

6
Jones.
rs Cy #473
Nelson

Copy of Lord.
Filed. 1/4/26.

Test R. A. Edmunds
cells

VIRGINIA,

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

G. M. Jones.....Plaintiff.

Vs:

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants under
the age of twenty-one years.....Defendants.

This cause came on this day to be again heard on the
papers formerly read, and on the report of George F. Whitley,
Special Commissioner this day by leave of Court filed, to
which report there are no exceptions, and was argued by coun-
sel.

And it appearing from the said report of said Special
Commissioner, ~~together with the receipts filed therewith,~~
that he delivered to G. M. Jones a good and sufficient
deed with Special Warranty, conveying the property in the
bill and proceedings mentioned, to the said G. M. Jones;
that the said, Special Commissioner has collected from the
said G. M. Jones, the sum of \$297.82, as provided for by
a former decree entered herein; that the said Special
Commissioner has paid the costs of this suit and counsel
fee, and has paid to James T. Wilson, the father of Hazel
D. Wilson and Dorothy Elizabeth Wilson, the infant defend-
ants, the sum of \$122.82, their pro rata share in the
proceeds derived from the sale of the property, in the bill
and proceedings mentioned, the same to be used in the main-
tenance, education and support of said infant defendants,
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.

Jones Vs: Wilson et al

Decree

1927.

Apr. 13,

Entered

PDW.

Sub 8
page 383

VIRGINIA,

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

G. M. Jones..... Plaintiff

v. (In Chancery

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years..... Defendants.

This cause came on this day to be again heard
on the papers formerly read^{and}, on the report of Geo. F.
Whitley, Special Commissioner, 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 the said
Special Commissioner has duly qualified as such Commissioner
and has executed the bond as required by a former decree
entered herein; that said Commissioner has received a
written bid from G. M. Jones of Sixteen Hundred and fifty
Dollars for the property in the bill and proceedings mention-
ed, that the acceptance of said bid is recommended by the
said Commissioner; that the cost of this suit is as follows:

Clerk's fee.....	\$9.55
Writ tax.....	1.50
Tax Attorney fee.....	15.00
Commissioner in Chancery	15.00
Premium on bond.....	10.00
Drawing Deed.....	10.00
Acknowledgement.....	.50
Revenue stamps.....	2.00
Special Commissioner's commissions.....	42.00
Total	<u>\$ 105.55</u>

on consideration whereof the Court doth confirm the said
report and doth adjudge, order and decree that the said
bid of Sixteen Hundred and fifty Dollars (\$1650.00) as made
by the said G. M. Jones for the said property be accepted.

And the said Special Commissioner is directed to execute a good and sufficient Deed, with Special Warranty, conveying the said property to the said G. M. Jones, collecting from the said G. M. Jones, the sum of \$ 175.00, the amount of the costs in this suit, ^{including} ~~together with the amount of \$ 16,~~ ^{allowed by the Court} as Attorney's fee, also the amount of \$ 122.82, the same being two-twenty-fourths (2/24) of the balance of the purchase price and being the pro rata share of Hazel D. Wilson and Dorothy Elizabeth Wilson in the said purchase money. And it appearing to the Court that the balance of the purchase money represents the pro rata share of G. M. Jones in said purchase money, the same is ordered to be applied as payment in full of the balance of the purchase price. The Court doth further adjudge, order and decree that the said Special Commissioner pay the Court cost and Attorney's fee as above mentioned.

And it appearing to the Court that Hazel D. Wilson and Dorothy Elizabeth Wilson are of such tender years that they are incapable of handling the said amount due them, the Court doth order the said Special Commissioner to pay to James T. Wilson, the father of the said Hazel D. Wilson and Dorothy Elizabeth Wilson the said sum of \$ 122.82 to be used in their education, maintenance and support.

And the said Special Commissioner is directed to report to Court how he has executed this decree.

And this cause is continued-

G. M. Jones, plaintiff

v) In Chancery

Hazel D. Wilson and Dorothy
Elizabeth Wilson, Defendants

DE C R E E .

1926
Jan. 15th
Entered
R. H. W.

Book 8
page 370

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

VIRGINIA,

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

.....

G. M. Jones..... Plaintiff.

v.) In Chancery. #473

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years.....Defendants.

.....oOo.....

This cause came on this day to be again heard on the papers formerly read and on the report of R. A. Edwards, Commissioner in Chancery, filed in this cause on the ____ day of December, 1925, to which said report there are no exceptions, and was argued by Counsel.

And it appearing to the Court from said report and the depositions of witnesses filed therewith that John A. Jones died on the 15th day of April, 1923, seized and possessed of a one half interest in a house and lot located near the town of Smithfield, Virginia, and bounded and described as follows: "All that certain lot or parcel of land situate near the town of Smithfield, Virginia, and being a part of the farm which was owned by J. J. Johnson, deceased, and which is bounded and described as follows, to-wit: Beginning at an iron stob on the main road leading to Smithfield, (which said main road was formerly the avenue leading from the dwelling of the said J. J. Johnson to Smithfield) and running thence back from said road in a northeasterly direction a distance of One Hundred and forty two feet, thence running in a southeasterly direction at right angles to the last mentioned line a distance of Sixty feet, thence running in a southwesterly direction a distance of One Hundred and forty two feet to the said road, thence down said road a distance of Sixty feet to the point of

beginning at the said iron stob." The above property being the same as was conveyed to John A. Jones and Geo. M. Jones by J. J. Johnson, et ux, by deed dated October 5th, 1904, and recorded in the Clerk's Office of the County of Isle of Wight in D.B. 71 page 19; that the annual value of said property is from Twelve to Twelve Dollars and fifty cents per month and the fee simple value from Fifteen Hundred to Eighteen Hundred Dollars; that the said property cannot be partitioned conveniently and to advantage among the parties entitled thereto; that there are no liens on the said land for taxes or otherwise, or on the interest of any party in interest; that all of the necessary and proper parties are properly before the Court; that G. M. Jones is the owner of a twenty-two twenty-fourths ($22/24$) interest in said property, and that Hazel D. Wilson and Dorothy Elizabeth Wilson are the owners of a one twenty-fourth ($1/24$) ^{interest} each in said property; and that Hazel D. Wilson is fourteen years of age and Dorothy Elizabeth Wilson is ten years of age, on consideration whereof, the Court doth confirm, the said report and doth adjudge, order and decree that Geo. F. Whitley be, and he is, hereby appointed as Special Commissioner for the purpose of making sale of the said real estate herein and in the bill and proceedings mentioned, at public auction, in front of the U. S. Post Office in the town of Smithfield, Virginia, after having advertised the time, place and terms of sale for fifteen days by hand bills posted in five or more public places in the County of Isle of Wight, for one third cash, and the balance in two equal installments, payable twelve and twenty four months after the date of sale, evidenced by bonds of the purchaser, bearing six percent interest from the date of sale, payable annually and the title to the said property to be retained until the whole of the

purchase money be paid and a conveyance directed by the Court; and the purchaser shall deposit ten percent of the purchase price with the Special Commissioner at the time of the sale, which deposit, in addition to any other remedy, shall be forfeited to this cause in the event the said purchaser shall not, within ten days from the date of sale, fully comply with the terms thereof, and unless the purchaser shall make said deposit at the time of sale then the said Special Commissioner shall, forthwith at the same time, proceed again to sell the said property upon the said terms. The said purchaser shall have the buildings on the said property insured for three fourths of their value and assign the policy of Insurance to the said Special Commissioner, as additional security for the deferred payments. But the said purchaser shall have the right to pay the said purchase price in cash, if he so desires.

And the said Special Commissioner is directed to deposit the said bonds with the papers in this cause and the cash installment in the Merchants and Farmers Bank, of Smithfield, Virginia, to the credit of this cause, and to report his proceedings hereunder, returning therewith a receipt of such deposit.

But the said Special Commissioner may receive private written bids for the said property, which shall be submitted to the Court for further direction.

The said Special Commissioner shall do no act under this decree until he shall have entered into a bond, payable and conditioned as directed by law, in the penalty of \$ 2000⁰⁰, approved by the Clerk of this Court.

And this cause is continued.

G. M. Jones

v.

Hazel D. Wilson et al.

D E C R E E.

1926
Jury
Entered
Att. Whitley

QOB 8
page 317.

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

VIRGINIA,

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

G. M. Jones,.....Plaintiff.

v.) In Chancery.

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years,;.....Defendants.

This day came the complainant, G. M. Jones,
and by leave of Court filed his bill of complaint
against Hazel D. Wilson and Dorothy Elizabeth Wilson,
infants, under the age of twenty one years; and upon
motion of the said complainant, it is adjudged, ordered
and decreed that E. H. Williams, a discreet and competent
Attorney at Law, practicing in this Court, be, and he is
hereby, appointed Guardian ad Litem for the infant de-
fendants to defend their interest herein; and, on motion
of the said Guardian ad Litem, he is hereby given leave
to file his own answer, and the answers of the infant
defendants to the said bill of complaint, which are
accordingly filed; to which said answers the complainant
replied generally; and on motion of said complainant ,
this cause is placed upon the docket. Whereupon, this
cause came on to be heard upon the bill of complaint and
upon the answer of the said Guardian ad Litem and the
infant defendants, by said Guardian ad Litem, and the
general replications ~~to~~ said answers.

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

First: Whether ^{or} not John A. Jones died, seized and possessed of the land in the bill and proceedings mentioned, together with a description of same and where located.

Second: The annual and fee simple values of the said real estate, together with the condition of the improvements thereon.

Third: Whether or not partition of the said land or any distinct or independent part thereof can be conveniently made to advantage among the parties entitled thereto.

Fourth: Whether or not there are any liens on the said land for taxes or otherwise, and whether or not there are any liens on the interest of any party in the said land.

Fifth: Whether all of the proper and necessary parties are properly before the Court; what interest they have in said land and how they came by same; together with the ages of the defendants.

Which several inquiries the said Commissioner shall make and report to Court, together with any matter especially stated, deemed pertinent by himself, or required by any party in interest, to be stated. And the said Commissioner shall reduce to writing such testimony as shall be taken hereunder, to be signed by the party giving same, and returned with his report.

On motion of the complainant, by Counsel, and upon consent of all parties, by Counsel, it is ordered that this cause be made a vacation cause and that such decrees be entered herein in vacation as might be entered in term time.

G. M. Jones, Plaintiff

v) In Chancery.

Hazel D. Wilson et als,
Defendants.

D E C R E E O F
R E F E R E N C E .

1945

Dec 15

Enter the

1st Mtg.

Book 8
page 313

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

VIRGINIA,

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

G. M. Jones.....Plaintiff

Vs:

Hazel D. Wilson & Dorothy Elizabeth Wilson, infants under
the age of twenty-one years.....Defendants

TO THE HONORABLE JUDGE,

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

The undersigned Special Commissioner begs leave to
make the following report:

That pursuant to a decree entered in this cause on
the _____ day of January, 1926, your Commissioner has
executed a Deed with SPECIAL WARRANTY
conveying the said property in the bill and proceedings
mentioned to G. M. Jones and has delivered the same, and
has collected from the said G. M. Jones, the sum of
\$297.82, which includes the costs of this suit and the pro
rata share of the infant defendants in the proceeds derived
from the sale of the property sold in this cause; that he
has paid the cost of this suit and counsel fee, as will be
shown by the receipts for same filed herewith; and, that
he has paid to James T. Wilson, the father of Hazel D.
Wilson and Dorothy Elizabeth Wilson, the sum of \$122.82,
their pro rata share in the said proceeds, the receipt for
same being herewith filed.


Special Commissioner

Jones Vs: Wilson et al

Special Commissioner's
Report.

RECEIVED of Geo. F. Whitley, Special Commissioner, in the
suit of Jones Vs Wilson et al, the sum of \$10.00 for drawing
Deed.

Geo F Whitley

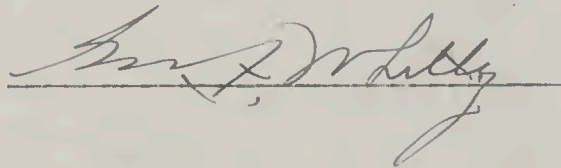
RECEIVED of Geo. F. Whitley, Special Commissioner, in the
suit of Jones Vs Wilson et al, the sum of \$70.00, Attorney's
fee.

Geo. F. Whitley

RECEIVED of Geo. F. Whitley, Special Commissioner, in the suit
of Jones Vs Wilson et al, the sum of \$42.00, Special Commissioner's
Commissions.


Special Commissioner

RECEIVED of Geo. F. Whitley, Special Commissioner, in
the suit of Jones Vs Wilson et al, the sum of \$15.00, taxed
Attorney's fee.


A handwritten signature in cursive script, appearing to read "Geo. F. Whitley", is written over a horizontal line.

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

GEORGE F. WHITLEY
Attorney at Law
SMITHFIELD, VIRGINIA

January 20, 1926.

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

Dear Sir:-

I am enclosing you check for \$36.05 covering the
following items in the suit of G. M. Jones v. Wilson et al,

Clerk's fee-	\$9.55
Writ tax	1.50
Commissioner in Chancery	-15.00
Premium on bond-	10.00
Totalling	<u>\$36.05</u>

Yours very truly,

Geo. F. Whitley
g

GEW:j

Paid.
1/22/26.
R. A. Edwards
ceh.

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

GEORGE F. WHITLEY
Attorney at Law
SMITHFIELD, VIRGINIA

Smithfield Va., 20, 1926

Reveived of Geo. F. Whitley, Special Commissioner in the
suit of Jones vs. Wilson et al, the sum of \$122,82,
the distributive share of Hazel D. Wilson , and
Elizabeth Wilson, in the money received from the sale of
the land in the above suit, to be ued in the ⁱⁿ maintenance
education and support

Given under my hand this 20th, day of January
1926.

J. I. Wilson

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

GEORGE F. WHITLEY
Attorney at Law
SMITHFIELD, VIRGINIA

Received of Geo. F. Whitley, Special Commissioner ---50¢
Acknowledgement to Deed from Geo. F. Whitley, Special
Commissioner to G. M. Jones.

Jane Johnson

Jan. 20, 1926.

COMMONWEALTH ATTORNEY
FOR ISLE OF WIGHT COUNTY

GEORGE F. WHITLEY
Attorney at Law
SMITHFIELD, VIRGINIA
January 15, 1926.

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

Dear Sir:-

I am herewith enclosing decree in the Jones-
Wilson suit, together with report.

Yours truly

GFW:j

Enc.2

Geo. F. Whitley
j.

VIRGINIA,

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

G. M. Jones..... Plaintiff.

v.) In Chancery.

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years..... Defendants.

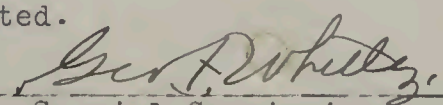
TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT:

The undersigned Special Commissioner begs
leave to make the following report:

That pursuant to a decree entered in the
above styled cause on the 4th day of January, 1926,
your Commissioner executed bond required in said decree,
that he has received a written bid, in the amount of
Sixteen Hundred and Fifty Dollars (\$1650.00) from G. M.
Jones for the house and lot mentioned in the bill and
proceedings, which said bid is herewith filed as a part
of this report, your Commissioner recommends the accept-
ance of said bid. Your Commissioner here states that
the cost of this suit is as follows:

Clerk's fee.....	\$	9.55
Writ tax.....		1.50
Tax Attorney fee.....		15.00
Commissioner in Chancery		15.00
Premium on Bond.....		10.00
Drawing Deed		10.00
Acknowledgement.....		.50
Revenue Stamps.....		2.00
Special Commissioner's commissions.....		42.00
Total	\$	105.55

Respectfully submitted.



Special Commissioner.

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF
THE COUNTY OF ISLE OF WIGHT:

I do hereby make a bid of Sixteen Hundred
and Fifty Dollars (\$1650.00) for the house and lot
mentioned in the suit brought by myself against
Hazel D. Wilson and Dorothy Elizabeth Wilson. Should
my bid be accepted I would like for my share of the
proceeds to be credited on the purchase price and I
will pay the balance in cash.

Given under my hand this 7th day of January,
1926.

G. M. Jones

G. M. Jones

v.

Hazel D. Wilson et al.

Special Commissioner's
Report.

VIRGINIA,

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

.....

G. M. Jones.....Plaintiff.

v.) In Chancery.

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years.....Defendants.

.....

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 of this Court, to whom hath been referred the papers in this cause for the execution of a decree entered therein on the 15th day of December, 1925, respectfully reports that on the 16th day of December, 1925, he issued notices to all of the parties to these proceedings, stating that he would on the 22nd day of December, 1925, at ten o'clock A. M., in the office of Geo. F. Whitley, Attorney at Law, in the town of Smithfield, Virginia, in this County, proceed with the execution of the said decree, service of the said notice being accepted by the Guardian at Litem for the defendants, as will be shown by the notice herewith returned.

Your Commissioner attended at the time and place mentioned in said notice and then and there took the depositions of C. M. Beale, C. S. Betts, G. W. Cofer and G. M. Jones, which said depositions are herewith returned to be read as a part of this report. From the testimony taken by your Commissioner and from the examination of records, your Commissioner reports as follows:

First Inquiry: Whether not John A. Jones died, seized and possessed of the land in the bill and proceedings mentioned, together with a description of same and where located.

A. John A. Jones died on the 15th of April, 1923, seized and possessed of a one half interest in a house and lot located near the town of Smithfield, bounded and described as follows: "All that certain lot or parcel of land, situate near the town of Smithfield, Virginia, and being a part of the farm which was owned by J. J. Johnson, deceased, and which is bounded and described as follows, to-wit: Beginning at an iron stob on the main road leading to Smithfield, (which said main road was formerly the avenue leading from the dwelling of the said J. J. Johnson to Smithfield) and running thence back from said road in a northeasterly direction a distance of One Hundred and forty two (142) feet, thence running in a southeasterly direction at right angles to the last mentioned line a distance of Sixty (60) feet, thence running in a southwesterly direction a distance of One Hundred and forty two (142) feet to the said road, thence down said road a distance of sixty feet (60) to the point of beginning at the said iron stob." The above property being the same as was conveyed to John A. Jones and Geo. M. Jones by J. J. Johnson et ux, by deed dated October 5th, 1904, and recorded in the Clerk's Office of the County of Isle of Wight in D.B. 71 page 19.

Second Inquiry: The annual and fee simple values of the said real estate, together with the condition of the improvements thereon.

A. The annual value is from Twelve to Twelve Dollars and fifty cents per month, and the fee simple value from Fifteen Hundred to Eighteen Hundred ^{Dollars}, and that the improve-

ments on the property are in very good condition.

Third Inquiry: Whether or not partition of the said land or any distinct or independent part thereof can be conveniently made to advantage among the parties entitled thereto.

A. That the said property cannot be partitioned conveniently and to advantage among the parties entitled thereto.

Fourth Inquiry: Whether or not there are any liens on the said land for taxes or otherwise, and whether or not there are any liens on the interest of any party in the said land.

A. There are no liens for taxes or otherwise on the said property, or on the interest of any party in interest.

Fifth Inquiry: Whether all of the proper and necessary parties are properly before the Court; what interest they have in said land and how they came by same; together with the ages of the defendants.

A. All of the necessary and proper parties are properly before the Court.

John A. Jones died leaving surviving him as his only heirs at law G. M. Jones and Lillie J. Fritsch, a son and daughter, and the following named grand children, James T. Wilson, Jr., Cecil C. Wilson, Hazel D. Wilson, and Dorothy Elizabeth Wilson, who are the children of a deceased daughter, namely, Eva F. Wilson, who died about eight years ago. It appears from the record that Lillie J. Fritsch, James T. Wilson, Jr., and Cecil C. Wilson have conveyed their interests in the said house and lot to G. M. Jones, and that G. M. Jones now owns a twenty-two twenty fourths (22/24) interest in said house and lot, and that Hazel D. Wilson and Dorothy Elizabeth Wilson own a one twenty-fourth

(1/24) interest each, they having inherited their interests from their mother, Eva F. Wilson; that Hazel D. Wilson is fourteen years of age and Dorothy Elizabeth Wilson is ten years of age.

Your Commissioner here reports that the house and lot cannot be conveniently partitioned to advantage among the parties entitled thereto and therefore would recommend a sale of the entire subject matter.

R. A. Edwards
Commissioner in Chancery.

VIRGINIA,

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

.....

G. M. Jones..... Plaintiff.

v.) In Chancery.

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants,
under the age of twenty one years..... Defendants.

.....oOo.....

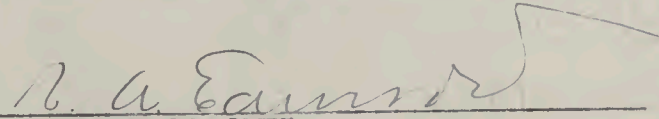
TO HAZEL D. WILSON AND DOROTHY ELIZABETH WILSON AND

E. H. WILLIAMS, GUARDIAN AD LITEM FOR HAZEL D. WILSON

AND DOROTHY ELIZABETH WILSON:

You are hereby notified that I have fixed upon
the 22nd day of December, 1925, at ten o'clock A. M. as
the time and the office of Geo. F. Whitley in the town
of Smithfield as the place for executing the decree, of
which the foregoing is an extract, which was entered in
the above styled cause depending in the Circuit Court of
Isle of Wight County on the 15th day of December, 1925.

Given under my hand as Commissioner in Chancery of
the Circuit Court of Isle of Wight County this 16th day
of December, 1925.


COMMISSIONER.

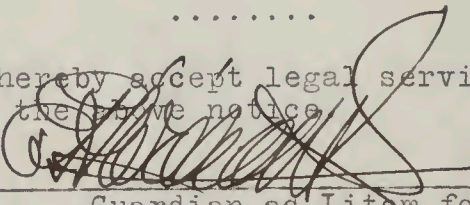
Jones

v.

Wilson. et als.

.....

I hereby accept legal service
of the above notice.


Guardian ad Litem for
Hazel D. Wilson and
Dorothy Elizabeth Wilson.

Dec
Present: Geo. F. Whitley;

E. H. Williams, Guardian ad Litem.

Examined by Geo. F. Whitley:

C. M. Beale, being duly sworn deposes and says as follows:

Q. What is your name, age, residence and occupation?

A. C. M. Beale, thirty four, farmer, live in Isle of Wight County near Smithfield.

Q. Are you familiar with the real estate owned by G. M. Jones and John A. Jones, consisting of a house and lot located near the town of Smithfield?

A. Yes sir, I have known the property for six years and live in about a half mile of it.

Q. Have you seen this property recently and if so for what purpose?

A. I pass by the property every day or so and viewed the property some time ago for the purpose of valuing same with Mr. C. S. Betts and G. W. Cofer.

Q. What size house is on this property and the condition of same?

A. The house is two story, with five rooms I think and the house itself is in fair condition, the roof and shingles are getting old and will soon have to be re-placed.

Q. What would you say would be a fair annual value for this property?

A. I should think this property should rent for twelve dollars a month. I understand that some houses right next to it rent for ten dollars a month, while this house is probably in little better condition and a little larger twelve dollars would be a fair rental value.

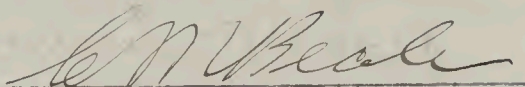
Q. What do you think would be a fair fee simple value for this property?

A. Between fifteen and eighteen hundred dollars, but if put up at public auction for cash at the present time I doubt that it would bring eighteen hundred, it wouldn't bring over fifteen hundred.

Q. Mr. Beale could this property be conveniently divided to advantage among the parties entitled thereto?

A. No sir, there would be no way to divide it, the only thing could be done would be to sell it and divide the Money. It is a small lot with just one house on it .

And further this deponent saith not-



.....

C. S. Betts being duly sworn deposes and says as follows:-

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

A. C. S. Betts, fifty five years old, live in Smithfield, and am a merchant.

Q. Are you familiar with the house and lot which was owned jointly by G. M. Jones and John A. Jones, if so how long have you known this property?

A. Yes, I have known the property ever since Mr. Jones has been owning it, I remember when he bought it and before he built a house there, at least around fifteen years.

Q. Have you seen it recently and for what purpose?

A. I see it most anytime passing and some time ago I went with C. M. Beale and G. W. Cofer to look over the property for the purpose of estimating its value.

Q. What size house is on this lot and what is its condition?

A. The house is two story and I should say has about five or six rooms it is in very good condition.

Q. Is there more than one house on this property?

A. No other house of any note, probably a little wood house.

Q. What do you think would be a fair rental value?

A. I should think about twelve dollars would be about all you could get, not to exceed twelve fifty per month.

Q. What would be a fair fee simple value?

A. The property is worth, I should say, sixteen hundred and

fifty dollars, and I believe would bring that if put up at public auction.

Q. Mr. Betts could the property be partitioned conveniently and to advantage among the parties entitled thereto?

A. I don't think so, the only way it could be divided would be to sell it and divide the money.

And further this deponent saith not-



.....

G. W. Cofer being duly sworn deposes and says as follows:-

Q. What is your name, age, residence and occupation?

A. G. W. Cofer, fifty nine, live near Smithfield, occupation Funeral Director.

Q. Are you familiar with the property which was owned jointly by G. M. Jones and John A. Jones, consisting of a house and lot located near Smithfield?

A. Yes.

Q. How long have you known this property and do you live near there?

A. Ever since the house was built and even the land before the house was built, and live just across the road from it.

Q. Where is this property located?

A. On the left hand side of the road leading from Smithfield to Scott's Factory and is located across the creek from the town of Smithfield and in about four hundred yards of the Corporate limits.

Q. What size lot is this, and what size house and the condition of the house?

A. I do not know exactly the size of the lot but think it is probably 65 feet front and 100 feet back; the house is two story with about six rooms and in pretty good condition for a house that has been built for about eighteen years.

Q. What would you say would be a fair rental value for this property per year?

A. I think it would bring twelve dollars and a half a month.

Q. What would be a fair fee simple value?

A. I should say between fifteen and eighteen hundred dollars.

Q. Mr. Cofer, do you think this property could be partitioned conveniently and to advantage among the parties entitled thereto?

A. No, I don't see how it could be done with the house like it is; the only way would be to sell the house and divide the proceeds among the parties who own it.

Q. Is John A. Jones living, and if not when did he die?

A. He died more than two years ago to the best of my recollection.

Q. How many children did Mr. Jones leave?

A. He left two, G. M. Jones and Mrs. Lillie Fritsch.

Q. Has any of Mr. John A. Jones' children died?

A. He had three children, G. M. Jones, Lillie Fritsch and Eva Wilson, all of whom are living except Eva Wilson who died some ten or twelve years ago.

Q. Did Mrs. Wilson leave any children?

A. Yes, she left four I think, two boys and two girls, I am not sure about that, I know the two boys but really don't know I think there are two girls.

And further this deponent saith not-

 J. H. Cofer

.....

G. M. Jones being duly sworn deposes and says:-

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

A. G. M. Jones, fifty, Smithfield, carpenter.

Q. What was your father's name?

A. John A. Jones.

Q. Is your father now living, if not when did he die?

A. No, died the 15th of April, 1923.

Q. Did he own any property at the time of his death?

A. Why a one half interest in a house and lot and I owned the other one half interest.

Q. Where was this house and lot located and the size of the lot.

A. Located just across the creek from Smithfield what we call Jericho, the size is about sixty by one hundred and forty two feet.

Q. What is the size of the house?

A. Two story, seven rooms including the cook room.

Q. How many children did Mr. Jones have?

A. Three, myself, Lillie C. Jones, who married Fritsch, and Eva. F. Jones, who married Wilson.

Q. Are all of the children now living?

A. No, one is dead, Eva F. Wilson,

Q. When did she die?

A. She's been dead about eight years.

Q. Did she leave any children, if so give the names and ages?

A. She left four children: James Wilson, twenty three, Cecil Wilson, twenty one in November of this year, Hazel D. Wilson, fourteen years old and Dorothy Elizabeth must be about nine or ten years old.

Q. Was your father's wife living at his death?

A. No, she died some years before he died.

Q. What interest do you own in the property now?

A. As stated before I owned a one half interest at the time of my father's death and I have bought the interests of my sister,

Lillie Fritsch and the interests of James Wilson and
Cecil Wilson.

And further this deponent saith not-

G. M. Jones

G. M. Jones, Plaintiff

vs. } In Chancery

Hazel D. Wilson et al.

C O M M I S S I O N E R ' S
R E P O R T .

Filed. 17/23/25.
A. G. Eamon
clerk.

VIRGINIA,

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

G. M. Jones,.....Plaintiff.

v.) In Chancery.

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants
under the age of twenty one years,.....Defendants.

The answer of Hazel D. Wilson and Dorothy
Elizabeth Wilson, infants under the age of twenty one
years, by E. H. Williams, Guardian ad Litem, a discreet
and competent Attorney at Law, assigned to defend them
in this suit, and the answer of the said E. H. Williams,
Guardian ad Litem of the said infant defendants, to a
bill of complaint exhibited against the said infants by
G. M. Jones, in the Circuit Court of the County of Isle
of Wight, Virginia.

For answer to the said bill, the said infant de-
fendants, by their Guardian ad Litem, answer and say that
being of tender years, they do not know what their true
interests are in relation to the subject matter of the
said bill, nor do they know whether the statements therein
contained are true or not. They confide the protection of
their interests therein to the care of the Court.

And now, the said Guardian ad Litem of the said
infant defendants for answer to the said bill answers and
says that he knows nothing as to the truth or falsity of
the statements in the bill contained. He prays full pro-
tection for the infant defendants. And, now, having fully
answered, these defendants pray to be hence dismissed with

their costs etc.

Hazel D. Wilson.

Dorothy Elizabeth Wilson.

By E. H. Williams
Guardian ad Litem for the
said infants.

E. H. Williams
Guardian ad Litem for the
infant defendants.

State of Virginia,

County of Isle of Wight, to-wit:-

Subscribed and sworn to before me in my County
and State aforesaid, by E. H. Williams, Guardian ad Litem,
as aforesaid, this 15 day of December, 1925.

Given under my hand this 15 day of December
1925.

C. Fairfield Whitley
Notary Public.

My commission expires

Sept. 29, 1928.

G. M. Jones Plaintiff

v) In Chancery

Hazel D. Wilson and
Dorothy Elizabeth Wilson,
Defendants.

Answer of Guardian
ad Litem.

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

VIRGINIA,

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

G. M. Jones,.....Plaintiff.

V.) In Chancery

Hazel D. Wilson and Dorothy Elizabeth Wilson, infants,
under the age of twenty one years,..... Defendants.

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT FOR THE
COUNTY OF ISLE OF WIGHT:-

Your complainant, G. M. Jones, complain-
ing, sheweth unto your Honor:

First:- That your complainant's father,
John A. Jones, died on April 15th, 1924, intestate;
that at the time of his death he was seized in fee simple
of a one half interest in a certain house and lot, locat-
ed near the town of Smithfield and fronting on the County
road leading from Smithfield to Scott's Factory and ad-
joining the lands of your complainant, Olivia Gwaltney
and C. S. Betts.

Second: That your complainant was at the
time of his father's death the owner of a one half interest
in said house and lot.

Third: That your complainant's father, John
A. Jones, left surviving him, as his only heirs at law,
two children, your complainant, G. M. Jones and Lillie
J. Fritsch, and the following named grand children:
James T. Wilson, Jr., Cecil Wilson, Hazel D. Wilson and
Dorothy Elizabeth Wilson, that the last named two are
infants under the age of twenty one, and of the age, to-

wit: Hazel D. Wilson, fifteen years; Dorothy Elizabeth Wilson nine years; and that the above named grand children are the children of Eva F. Wilson, deceased, a daughter of the said John A. Jones.

Fourth: That the said Eva F. Wilson departed this life prior to the death of John A. Jones, leaving surviving her, as her only heirs at law, James T. Wilson, her husband, and the above named children.

Fifth: That your complainant has, since the death of his father, purchased the interest of Lillie J. Fritsch in the said house and lot; and that the said interest was conveyed to him by Lillie J. Fritsch by deed dated on the 3rd day of September, 1925, and was recorded in the Clerk's Office of the County of Isle of Wight in D.B. 97, page 247; that your complainant has, also, purchased the interest of James T. Wilson, Jr., and C. C. Wilson, children of the said Eva F. Wilson, in the said house and lot, which said interest was conveyed to him by Deed dated on the 14th day of November, 1925, and recorded in the Clerk's Office of the County of Isle of Wight in D.B. 97 page 286.

Sixth: That the said real estate, as your complainant believes, is susceptible of partition among the parties entitled thereto, but if it cannot be so divided then your complainant desires that the same be sold and the proceeds divided among the parties hereto according to their respective rights; the shares of the infants to be held as directed by the Statute in such case made and provided.

For as much, therefore, as your complainant is remediless in the premises, save by the aid of a Court of Equity, he prays that the said Hazel D. Wilson and Dorothy Elizabeth Wilson may be made parties defendant to this bill

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and required to answer the same, the answer of the said infants to be made by their Guardian ad Litem; that a proper Guardian ad Litem be appointed in this cause for said infants, who shall also answer this bill; that proper process issue; that the said real estate be divided among the parties entitled thereto, or else that it be sold and the proceeds divided, in case it be indivisible in kind; that all proper orders and decrees may be made and all such further and general relief, as in the premises may be just and right, may be granted. And notice is hereby given that proper counsel fees will be asked for during the progress of this suit. And your complainant will ever pray.

G. M. Jones
By Counsel.

Ben A. Whitley, pg.

G. M. Jones, Plaintiff

v.) In Chancery.

James T. Wilson, Sr. et als
Defendants.

B I L L O F
C O M P L A I N T.

Dec. 15-20-

Bill and answer
filed in open Court
and cause ordered
to the Ct docket.

Seems to be

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