

1927-011 Chancery Causes: D. B. Ward & Rose C. Ward vs John R. Ward & William S. Ward, 338
Isle of Wight County by v c
Petition of William Ward

other surnames: Delk, Holt,
Whitley, Rowell, Lyon,
Deshiel, Warren, Dashiell,
Curtis

No.

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

principal

and American Surety Company of New York,

surety

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of seven 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
has hereto set his hand and seal
and the said American Surety Company of New York

principal

surety

by A. S. Barrett (countersigned by A. S. Johnson as attorney), 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 A. S. Barrett, its said agent and attorney in fact, this, the 15th. day of June, A. D. 19 20

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound George F. Whitley, who was, on the 14th. day of June, 1920, appointed a special commissioner in chancery cause in the Circuit Court of the County of Isle of Wight, Virginia, pending, in which D. B. Ward et als. are complainants and J. R. Ward et als. are defendants, docket number 338.

(Countersigned, A. S. Johnson, attorney)

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.

Geo. F. Whitley [SEAL]

(SEAL)

American Surety Company of New York

By A. S. Barrett

Its duly authorized agent and attorney in fact.

Attest: A. S. Barrett,

Agent and attorney in fact.

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 15th.

day of June, 1920. 19, this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

A copy,

Teste, A. S. Johnson Clerk.

A. S. Johnson, Clerk.

6 1/2

Hard et al

n f @ 338

Hard et al

Copy of Spe Cener
bond. executed
June 15 1920

No.

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

principal

and **The American Surety Company of New York,**

surety

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of **Seven 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**
has herunto set his hand and seal
and the said **American Surety Company of New York**

principal

surety

by **A. S. Barrett**

, 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 **A. S. Barrett**

, its said agent and attorney

in fact, this, the **15th.**

day of **June,**

A. D. **1920.**

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound **George F. Whitley, who was,**
on the **14th. day of June, 1920,** appointed a special commissioner in the chancery
cause in the Circuit Court of the County of Isle of Wight, Virginia, pending, in
which **D. B. Ward et als. are complainants and J. R. Ward et al. are defendants,**
docket number **558,**

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.

Geo. F. Whitley [SEAL]

American Surety Company of New York

By *A. S. Barrett*

Its duly authorized agent and attorney in fact.

(Seal)
Attest: *A. S. Barrett*

Agent and attorney in fact.

Countersigned, **A. S. Johnson.**

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the **15th.**

day of **June,**

1920

, this bond was duly executed and acknowledged by the obligors to the same
and ordered to be recorded.

*Copy
To
A. S. Johnson. Clerk*

A. S. Johnson Clerk.

17
Ward et al
v. Cy. No. 338
Ward et al

Copy of the Census
bond

Filed June 14, 1920

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT JUNE 14TH. 1920.

D. B. Ward et al

vs) Chancery No. 338.

John R. Ward et al.

George F. Whitley, appointed special commissioner in the above
entitled suit has, on this day, duly executed the bond required of
him as such.

Given under my hand the day and year first aforesaid.

Johnson Clerk.

8

Hard et al
v Cy- 338

Hard et al

Copy of Ctts sett.
upon execution of
the Cmto bond

VIRGINIA,

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

D. B. Ward, et al

VS:

John R. Ward et als.

This cause came on this day to be heard on the papers formerly read and on the report of Geo. F. Whitley, Special Commissioner, this day by leave of court file, to which report there are no exceptions, and was argued by counsel.

And it appearing from said report, together with the receipt filed therewith, that the said Special Commissioner has paid to William Ward the sum of (\$ 1,024.43), it being the distributive share of the said William Ward in the proceeds derived from the sale of the property, in the bill and proceedings mentioned, 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.

338

D. B. Ward et al

VS

John R. Ward et als

Decree

1927.

May 2.

Euler, ~~the~~
R.W.

Book 8
386
page

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

D. B. Ward, et al., Plaintiff,

VS:

John R. Ward et als., Defendants,

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

And it appearing from said report ^{and said petition} that the ^{principal of the} amount due William Ward, the infant defendant in this cause, is \$ 1,024.43, which amount is deposited to the credit of this cause in The Merchants and Farmers Bank, Incorporated of Smithfield, Virginia, on consideration whereof the Court doth confirm the said report.

And, it appearing from the petition of the said William Ward, that he became twenty-one (21) years of age on the first day of march, 1927; that he desires the said sum of \$ 1,024.43 be paid to him, on consideration whereof the Court doth adjudge order, and decree; that said George F. Whitley, Special Commissioner, pay to the said William Ward, the sum of \$1,024.43. ^{with accrued interest.}

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

And this cause is continued.

338

Ward et al

Vs:

Ward et als

Decree

1427

Apr 13.

Enter this
B.W.

Book 8
page 385

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

D. B. Ward, et al

Plaintiffs,

Vs.

John R. Ward, et als

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 counsel.

And it appearing from said report that there is on time deposit in the Merchants & Farmers Bank Inc., of Smithfield,

Virginia, to the credit of the said Special Commissioner the sum of \$1024.43, the same being the pro-rata share of W. L. Ward

in the proceeds recieved in this cause; that the said Special

Commissioner has collected the sum of \$102.42 interest due on said amount to September 21st, 1922; that the said Special

Commissioner has paid out of the said interest, taxes in the amount of \$5.78, premiums on Special Commissioner's bond in the amount of \$42.00, and to George F. Whitley, attorney's fee for drawing Special Commissioner's report and decree, \$5.00; that he has paid to Adele B. Curtis, Guardian for W. L. Ward the sum of \$49.64 balance of said interest, on consideration whereof the court doth confirm the said report.

And this cause is continued.

and \$1000.00 loaned to W. L. Ward, evidenced by note and sale

from Sept. 21, 1920

W. L. Ward paid \$1000.00 on real estate, said bond being dated 9/21/21.

14

D. B. Ward et al

Vs.

John R. Ward, et als

DECREE.

1423
Sept. 17.
Enter this.
B.D.W.

C. O. B. # 8

page 159

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

D. B. WARD ET AL

VS) *1776*

IN CHANCERY

JOHN R. WARD ET AL

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 Counsel.

And it appearing from said report that the said Special Commissioner has paid out the balance of \$6346.50 in hand as follows:

Geo. F. Whitley, attorney's fee	200.00
John R. Ward, pro-rata share	3073.25
T. H. Delk, out of D. B. Ward's share, note	325.00
T. H. Delk, interest on said note	8.70
Geo. F. Whitley, balance of pro-rata share of D. B. Ward, to be applied on note	690.71
T. H. Delk, out of pro-rata share of Rose C. Ward, note	375.00
T. H. Delk, interest on said note	9.72
Rose C. Ward, balance of pro-rata share	639.69
On time deposit in the Merchants and Farmers Bank, to the credit of Geo. F. Whitley, Special Commissioner, pro-rata share of W. L. Ward	<u>1024.43</u>
TOTAL	\$6346.50

on consideration whereof the Court doth confirm the said report, and doth adjudge, order and decree that the amount of the bond heretofore given by the said Special Commissioner be reduced to the amount of \$1500.00

And this cause is continued.

D. B. WARD ET AL
VS)
JOHN R. WARD ET AL

DECREE

1920
Sept 21
Entered
J.R.W.

6038 page 19

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

D. B. WARD ET AL

VS)

IN CHANCERY

JOHN R. WARD ET AL

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

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 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 collected from T. H. Delk the sum of \$6600.00; that he has executed and delivered a deed, with SPECIAL WARRANTY, conveying the property in the bill and proceedings mentioned to the said T. H. Delk, that he has deposited in the Merchants and Farmers Bank at Smithfield, Virginia, to the credit of the said Special Commissioner the said sum of \$6600.00, and has paid the cost in this suit as follows:

A. S. Johnson, Clerk's fee	\$14.00
A. S. Johnson, Commissioner in Chancery	30.00
George F. Whitley, taxed attorney's fee	15.00
A. S. Darrett, Agent, premium on bond	21.00
George F. Whitley, drawing Special Commissioner's deed	10.00
George F. Whitley, Special Commissioner, Commissions	141.00
C. W. Warren, witness	5.00
A. C. Lyon, witness	5.00
H. G. Dashiell, witness	5.00

U. S. Revenue Stamps for deed	7.00
Notary for acknowledgments	<u>.50</u>
TOTAL	\$253.50

leaving a balance of \$6346.50 in the hands of said Special Commissioner. On consideration whereof, the Court doth confirm the said report, and doth adjudge, order and decree that the said Special Commissioner pay to George F. Whitley the sum of \$200.00 for prosecuting this suit; to John H. Ward the sum of \$2075.25, it being his pro-rata share in the proceeds derived from the sale of the property; to T. H. Belk the sum of \$325.00 principal, and \$8.70 interest, due on same out of the pro-rata share of D. D. Ward, (which amounts to the sum of \$1024.41), and the balance of \$690.71 out of the pro-rata share of D. D. Ward, pay to George F. Whitley to be applied to the payment of a note for the sum of \$2058.50, which amount is evidenced by a negotiable note executed by D. R. Ward and secured by a deed of trust on his interest in the said property; pay to T. H. Belk the sum of \$375.00 principal and \$9.72 interest, out of the pro-rata share of Rose C. Ward, which said pro-rata share amounts to \$1024.41, and to Rose C. Ward the sum of \$639.69, it being the balance in full for her pro-rata share of the proceeds; and the court doth further adjudge, order and decree that said Special Commissioner

er forthwith place on time deposit in The Merchants and
Farmers Bank of the Town of Smithfield, Virginia, to the
credit of this cause the sum of \$1024 ⁴¹/₁₀₀, it being the
amount of the pro-rata share of W. L. Ward in the said
proceeds; ~~but~~ ^{but} the said Special Commissioner is directed
to lend out the said ~~pro-rata~~ share of the said W. L.
Ward, as soon as he may secure a loan for same, ^(said loan to be first approved by the Court), said loan
to be secured by a deed of trust on real estate, and not
to be for more than three fourths of its value, no loan
to be made however, until the title to the property offer-
ed as security shall have been examined by the said Spec-
ial Commissioner and a certificate to the effect that the
title to such property offered in security for the said
loan is clear and unencumbered. And the said Special
Commissioner is directed to report ~~to court~~ his proceed-
ings hereunder.

And this cause is continued.

10.

D. B. WARD ET AL

VS) IN OF JERRY 7338

JOHN R. WARD ET AL

INCREP

1420
July 8 1915
Entered
R.D.W.

6013 8 page 4

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

D. B. Ward et al
VS)
John R. Ward et al

Plaintiffs
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 Counsel.

On consideration whereof, and it appearing from said report that the said Special Commissioner has received a written private bid for the property in the bill and proceedings mentioned from T. H. Delk, offering SIXTY SIX HUNDRED (\$6600.00) DOLLARS, to be paid in cash upon the delivery of the deed for the said property and said sale being recommended by said Commissioner, the Court offer a good and sufficient bid, doth confirm the said report and doth adjudge, order and decree that the said George F. Whitley execute and deliver to the said T. H. Delk a good and sufficient deed, with SPECIAL WARRANTY, conveying the property in the bill and proceedings mentioned and described in a former decree entered herein, upon the receipt of the sum of \$6600.00, and said Special Commissioner is directed to deposit the said sum of \$6600.00, in The Merchants and Farmers Bank, Incorporated, of the Town of Smithfield, to the credit of said Special Commissioner. And the said Special Commissioner is further directed to pay all the accrued costs in this

done at the Court house in the County of Isle of Wight, Virginia, this 1st day of March, 1911.

cause and to report his proceedings hereunder to
Court.

And this cause is continued.

8.

D. B. Ward et al

vs)

John R. Ward et al

*Deere Company
Sale.*

*1920
June 21-1920
Entered
B.D.W.*

6039 of page 562

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

D. B. Ward et als

vs) Chancery. No. 338.

John R. Ward et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Commissioner in Chancery, filed herein on the 18th day of May, 1920, and to which no exception has been filed and was argued by counsel: and, it appearing from said report that Sallie P. Ward, who departed this life on the 1st. day of June, 1919, was, at the time of her death, seized and possessed of ~~a~~ certain tract or parcel of land, situate, lying and being in the said County of Isle of Wight and State of Virginia, allotted and assigned to her in a suit of partition in the Circuit Court of this County, in which John R. Ward and others were complainants, and W. L. Ward's heirs were defendants, and therein described as follows, to-wit: Beginning at a point on the road leading from Mill Swamp Church to Burwells Bay, and at the centre of a ditch which partly crosses the field lying South of the dwelling house; running thence in a westerly direction down the centre of said ditch to where the said ditch empties into a branch; running thence in a more westerly direction down said branch along a line of marked trees to a black gum in the centre of the swamp, a corner on the lands of C. M. C. Gale; running thence in a Northerly direction up the meanderings of said swamp it being the dividing line between the lands herein described and the lands of belonging to C.M.C. Gale, to the head of a branch, a corner on the land of C.M.C. Gale, and the lands herein described; running thence in an Easterly direction along the lands of the said C. M. C. Gale to the lands of W. H. Gale; a corner on what is known as the Surry Road; running thence along the lands of the said W. H. Gale and down the Surry Road to a corner on the said Burwells Bay Road; running thence down the said Burwells Bay Road toward Mill Swamp Church to the centre of said ditch, the point of beginning; and, another tract described in said partition suit as follows: Beginning at a red oak on the East side of the County road leading from Mill Swamp Church to Burwells Bay, and opposite the point at the centre of the said ditch above mentioned; running thence in an Easterly direction and parallel with the County Road leading from the Burwells Bay Road to Smitafield, to the line dividing the land herein described from the land formerly belonging to George J. Barlow, and now owned by M. H. Delk; running thence in a Southerly direction and along the said boundary line of the said land now owned by M. H. Delk to the land now owned by W. B. Jones; running thence along the boundary line of the land of W. B. Jones and the lands herein described to a marked pine tree, a corner on the land of W. B. Jones and the land formerly belonging to W. H. Little; running thence in a Northerly direction, and in a straight line to a marked pine tree, a corner on the said County road leading from Mill Swamp Church to Burwells Bay and at a point opposite a ditch at a corner of the field lying South of the dwelling house; running thence in a Northeasterly direction down the said Burwells Bay Road to a red oak the point of beginning;) that she died intestate; that her heirs are as follows, namely: John R. Ward, brother; D. B. Ward, Rose C. Ward, and W. L. Ward, junior, children of another brother, Dr. W. L. Ward, deceased, the said W. L. Ward, junior being an infant, fourteen years of age; that the said real estate cannot be conveniently divided among the several parties entitled to share therein; that it will be to the interest of all the parties to sell the said real estate and divide the proceeds; that no party will take the entire property and pay the others entitled to share therein for their respective interests; that the annual value of the said land is five hundred dollars and the fee simple value is ~~five~~ five hundred dollars; that the said John R. Ward is the owner, by inheritance, of one half, ~~by inheritance~~, and the children of the said W. L. Ward, named above, are the owners of the other half, or one sixth each; that the following liens appear against the

by subscription.

interest of D. B. Ward, to-wit: (1) a deed of trust lien in favor of T. H. Delk, securing a bond for the sum of three hundred and twenty five dollars, dated January 28th. 1920, and payable twelve months after date- (2) a deed of trust in favor of George F. Whitley, for \$2058.50, evidenced by a negotiable note bearing date the 9th. day of April, 1920, and payable ninety days after date; and against the interest of Rose C. Ward as follows, to-wit: A deed of trust lien in favor of the said T. H. Delk, evidenced by a bond dated 30th. day of January, 1920, for the sum of \$375.00; and that all proper and necessary parties are properly before the Court; it is adjudged, ordered and decreed that the said report be, and the same is, hereby, confirmed.

And it is further adjudged, ordered and decreed that George F. Whitley, *who* is hereby appointed a Special Commissioner for the purpose, do proceed to sell the said land ^{at} public auction, after twenty days notice, by printed notices posted in ~~five~~ ^{ten} or more public places in said County, for one third cash and the balance in two equal installments, payable in twelve and twenty four months after date, evidenced by bonds of the purchaser, bearing six per cent interest from date of sale, payable annually, and the title to the property to be retained until the whole of the purchase money be paid, and a conveyance directed by the Court; and the purchaser shall deposit ten per cent of the purchase price with the Special Commissioner at the sale, which deposit, in addition to any other remedy, shall be forfeited to this cause in the event that said purchase 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 and place, proceed to again sell the said property upon said terms. The said purchaser shall have the buildings upon the said property insured for three fourths of their value and assign the policy of insurance to the said Special Commissioner as additional security for the deferred payments: *or the purchaser may pay all cash.*

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, 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 \$ 7000⁰⁰, approved by the Clerk of this Court.

And this cause is continued.

6

Hand it at

n of Cy 338

Hand it at

Rough deer

To be entered

1920

June 14th

Enter this.

T.D.W.

Copy page 558

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

D. B. Ward and Rose C. Ward, Plaintiffs

VS) IN CHANCERY

John R. Ward and W. L. Ward, an infant under
the age of twenty one years Defendants

This day, came the complainants, D. B. Ward and Rose C. Ward and by leave of Court filed their bill of complaint against John R. Ward and W. L. Ward, the last named being an infant under the age of twenty-one years, and upon motion of the complainants, the Court doth appoint E. H. Williams, a discreet and competent attorney at law, practicing in this Court, as guardian ad litem for the infant defendant, W. L. Ward, to defend his interest ~~wherein~~; and, on motion of the said guardian ad litem, ~~he is hereby given~~ ^{is given leave} leave to file his own answer, and the answer of the said infant defendant to the said bill of complaint, which is accordingly filed, and on motion of the defendant, John R. Ward, he is hereby given leave to file her answer to the said bill of complaint, and the same is accordingly filed, to which said answers the said complainants replied generally, and on motion of said complainants, 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 guardian ad litem and the infant defendant by the said guardian ad litem, and upon the answer of the said defendant, John R. Ward, and upon the general replications to said answers.

On consideration whereof, the Court doth ad-

judge, order and decree that this cause be referred to one of the Commissioners of this Court, who will inquire into and report to the Court the following inquiries;

the parties hereto are
1st: ~~Of what real estate, ~~also~~ seized and pos-~~
~~session, with a description of said land, and where located.~~
how the same was acquired

2nd: Whether the said real estate can be conveniently divided among the several parties entitled thereto: *and if the same can not be divided among the said parties, whether it would be to the interest of all parties to sell*

3rd: And if the same can not be conveniently divided, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to.

4th: The annual and fee simple values of the real estate in the bill and proceedings mentioned, and the respective interest of the parties entitled thereto, and ~~how~~ the same were acquired, and the age of the ~~de-~~
infant
fendant.

5th: Whether or not there are any liens on the said land for delinquent taxes or otherwise, and whether or not there are any liens ~~for~~ *against* the interest of any party in the said land.

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

Which several inquiries the said Commissioner shall make and report to Court, together with any matter especially stated or deemed pertinent by himself or required by any party in interest to be stated together with the testimony taken by him.

that real estate was seized and divided among the said parties. or an allotment of a part and a sale of the residue.

14

D. B. Ward et al

VS) IN CHANCERY 338

John R. Ward et al

Decree of Reference

1930
May 3.
Entered
B.D.W.

C.O.B. 7 - page 545

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

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

D. B. Ward, et al

Plaintiff

Vs

John R. Ward et als.,

Defendants

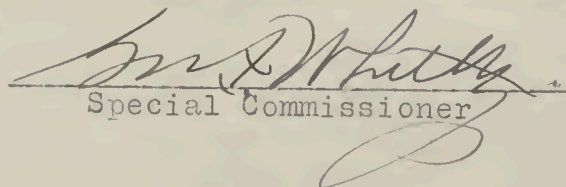
TO THE HONORABLE JUDGE OF THE SAID COURT:

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

That the amount due William Ward out of the proceeds
derived from the sale of the property in the bill and pro-
ceedings mentioned is \$ 1,024.43, which amount is deposited
in The Merchants and Farmers Bank of Smithfield, Virginia,
to the credit of this cause; that the said William Ward
has filed his petition in this suit wherein he states
that he became(21) twenty-one years of age on the (1) first
day of March 1927; and, that the prayer of the said petition
of the said William Ward ask that your Commissioner be dir-
ected to pay to him the amount of money in the hands of
your Commissioner.

Your Commissioner respectfully ask that he be directed
to pay to the said William Ward the sum of \$1, 024.43.

Respectfully submitted,


Special Commissioner

Ward et al Vs: Ward et als

Special Commissioner's
report.

VIRGINIA,

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

D. B. Ward, et al

VS:

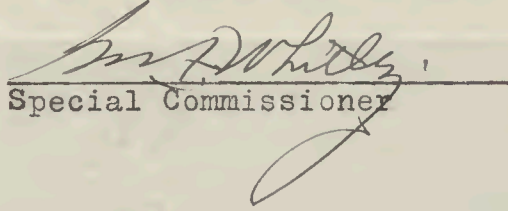
John R. Ward et als.

TO THE HONORABLE JUDGE OF THE SAID COURT:

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

That he has paid to William Ward the sum of (\$ 1,024.43), as will be shown by his receipt filed herewith, it being the amount of his distributive share in the proceeds derived from the sale of the property, in the bill and proceedings mentioned.

Respectfully submitted,


Special Commissioner

D. B. Ward et al

VS

John R. Ward et als

Special Commissioner's
report.

TAXES AND LEVIES, 1922

TOWN OF SMITHFIELD

M. C. C. F. Whitley S. C.

Land.....Page.....Line.....

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To W. E. LAINE, Treasurer of ISLE OF WIGHT COUNTY, VIRGINIA, Dr.

No. 155

Local Rate on Intangibles
(Classes 1, 6)..... for Roads..... on \$100
(Classes 5, 2)..... for Roads..... on \$100

Valuation

Rate of
State Tax
on \$100

State Tax

Rate of
Local Levies
on \$100

Local Levies

Total
Tax and
Levies

Real Estate..... Acres \$

\$.25

\$

\$

90

\$

\$

Real Estate..... Acres

.25

90

Real Estate..... Acres

.25

90

Real Estate..... Acres

.25

90

Tangible Property.....

.25

90

Class 4 (Money).....

.20

NO NE

NO NE

Class 6 (Bonds of Counties, Cities
and Towns of this State).....

.35

Class 1 (Bonds, Notes and other
evidences of debt)..... Value \$

.80

Class 5 (Shares of
Stock)..... Value \$

.85

Class 2 (Capital).....

1% up to
\$3,000-2%
on excess

NO NE

NO NE

Income.....

NO NE

NO NE

State Poll (or Capitation) Tax.....

1 50

1 50

CREDITS

Total Taxes and Levies.....

\$ 3 50

\$

\$ 3 50

Date

Account

Amount

Received payment:

Five Per Cent. Penalty.....

Total Taxes, Levies and Penalty... \$

Treasurer.

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County Levies

County Levy.....\$.50

County School Levy.....\$.40

Total.....\$.90

Statement Rendered.
W. E. LAINE, Treas.
JUN 9 1923
1000
3 50
1% up to
\$3,000-2%
on excess

78
3 68

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Lev. \$.60
 County School Lev. " .30
 County Road Lev. " .10
 District School Lev. " .40
 District Road Lev. " .45
 Poor Lev. " .05

Total. \$ 1.90

M

Geo. F. Whitten S. C.

Ward vs. Ward

To W. E. LAINE, Treasurer of ISLE OF WIGHT COUNTY, VIRGINIA, Dr.

TAXES AND LEVIES, 1921

HARDY DISTRICT

Land.....Page.....Line.....

Personal Property...Page.....Line.....

Income.....Page.....Line.....

No. 1277

Local Rate on Intangibles
 (Classes 6, 1, 5, 3 and 2)
 for Roads, 30c on \$100

Valuation

Rate of
 State Tax
 on \$100

State Tax

Rate of
 Local Levies
 on \$100

Local Levies

Total
 Tax and
 Levies

Real Estate..... Acres \$.25
 Real Estate..... Acres .25
 Real Estate..... Acres .25
 Real Estate..... Acres .25
 Tangible Property..... .25

W. E. LAINE, Treas.

PAID
 JUN 3 1922

Class 4 (Money)..... .30
 Class 6 (Bonds of Counties, Cities
 and Towns of this State)..... .45
 Class 1 (Bonds, Notes and other
 evidences of debt)..... Value \$.80
 Class 5 (Shares of
 Stock)..... Value \$.80
 Class 3 (Fiduciary)..... .80
 Class 2 (Capital)..... .85
 Income..... RY..... (1% up to \$3,000, 2%
 on excess)
 NONE..

State Poll (or Capitation) Tax.....

CREDITS

Total Taxes and Levies.....

Date

Account

Amount

Received payment:

Five Per Cent. Penalty.....

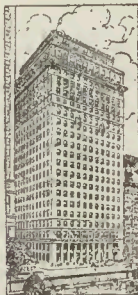
Total Taxes, Levies and Penalty...\$

Treasurer.

Date.....

THE AMERICAN SURETY COMPANY OF NEW YORK, Inc.

F. W. LAURENTZ, PRESIDENT



COMPANY'S HOME OFFICE
BUILDING

CLIENT'S RECORD OF PAYMENT

BANK

CHECK NO.

DATE

[Large empty rectangular box for stamp or signature]

For Premium on Bond as follows:

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

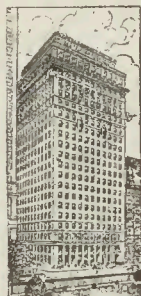
BOND NO.	NAME OR TITLE	DATE DUE	PREMIUM
364369-A	George P. Whalley, Spl. Commr. of R. E. in matter of <i>Paul</i> et al. -vs- <i>Paul</i> et al. Smithfield, Va. Agt. A. S. Barrett.	8/14/23 11-12-25 #81	\$14 00

Premium is for one year unless otherwise specified.

Date

THE AMERICAN SURETY COMPANY OF NEW YORK, Dr.

F. W. LAFRENTZ, PRESIDENT



COMPANY'S HOME OFFICE
BUILDING

CLIENT'S RECORD OF PAYMENT

BANK

CHECK NO.

DATE

For Premium on Bond as follows:

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

BOND NO.	NAME OR TITLE	DATE DUE	PREMIUM
364368-A #88 6/22/22	George F. Whitley,	6/12/22	14 00
	Spl. Commr. sale of	6/12/21	14 00
	real estate in matter of Ward etal.-vs- Ward, D.B. etal. -vs- J. R. Ward etal.		\$ 28 00
	Smithfield, Va. Agt. A. S. Barrett.		

*Paid 6/5/22
A.S. Barrett*

Premium is for one year unless otherwise specified.

RECEIVED OF Geo. F. Whitley, Special Commissioner in
the suit of Ward Vs Ward, the sum of \$ 1,024.43, it being my
disbributive share in the proceeds derived from the sale of
the land in the bill and proceedings mentioned.

Given under my hand this 27th day of April, 1927.

W. L. Ward -

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

D. B. Ward, et al

Plaintiffs,

Vs.

John R. Ward, et als

Defendants.

TO THE HONORABLE B. D. WHITE, JUDGE OF THE SAID COURT.

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

That pursuant to a decree entered in this cause on the 21st day of September, 1920, the amount of \$1,024.43 was placed on time deposit in the Merchants & Farmers Bank Inc., of Smithfield Virginia, to the credit of your Commissioner, the said amount being the pro rata share of W. L. Ward in the proceeds received in this cause; that on September 14th, 1921, your Commissioner loaned to W. F. Crocket \$1,000.00 of the above amount, the same being evidenced by a negotiable note and being secured by a deed of trust on real-estate estimated to be worth from \$2,000.00 to \$2,500.00; that he collected the sum of \$102.42 interest on the said amount from September 21st, 1920 to September 21st, 1922; that he has paid out of the said interest taxes amounting to \$5.78, premiums on Special Commissioner's bond \$42.00, and has paid to George F. Whitley Attorney's fee for drawing Special Commissioner's report and decree the sum of \$5.00; and that he has paid to Adele B. Curtis, Guardian for W. L. Ward, the sum of \$49.64 the balance of said interest.

Respectfully submitted,


Special Commissioner.

13

D. B. Ward, et al

Vs.

John R. Ward, et als.

REPORT.

Sept 21, 1920

Received of George F. Whitley, Special Commis-
sioner in the suit of D. B. Ward et al vs John R. Ward et
al, the sum of \$3073.25, in full for my pro-rata share of
the proceeds derived from the sale of the Sallie P. Ward
property.

John R. Ward

Received of Geo. F. Whitley, Special Commissioner,
in the suit of Ward vs. John R. Ward, the sum of
\$49. 64. settlement of all interest due to Sept.
1921 on the money loaned in the above suit.

Curtis
A. B. Ward

Guardian for W. L. Ward,

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

D. B. WARD ET AL

VS

JOHN R. WARD ET AL

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

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

That pursuant to a decree entered in this cause
on the 19th day of July, 1920, he has paid out the proceeds in
hand, amounting to \$6346.50, as follows:

Geo. F. Whitley, attorney's fee	200.00
John R. Ward, pro-rata share	3073.25 ✓
T. H. Delk, out of D. B. Ward's share, note	325.00 ✓
T. H. Delk interest on said note	8.70 ✓
Geo. F. Whitley, balance of pro-rata share of D. B. Ward, to be applied on note	690.71 ✓
T. H. Delk, out of pro-rata share of Rose C. Ward, note	375.00 ✓
T. H. Delk, interest on said note	9.72 ✓
Rose C. Ward, balance of pro-rata share	639.69 ✓
On time deposit in the Merchants and Farmers Bank, to the credit of Geo. F. Whitley, Special Commissioner, pro-rata share of W. L. Ward	<u>1024.43</u>
TOTAL	\$6346.50

Respectfully submitted.


Special Commissioner

D. B. WARD ET AL

VS)

JOHN R. WARD ET AL

Special Commissioner's
Report

1920
Sept 20
Wesley

Wesley
Commissioner's Office

RECEIVED
SEP 21 1920
CITY OF NEW YORK

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

D. B. WARD ET AL

VS)

IN CHANCERY #338

JOHN R. WARD ET AL

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

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

That pursuant to a decree entered in this cause
on the _____ day of June, 1920, he has collected from T.
H. Delk the sum of SIXTY SIX HUNDRED (\$6600.00) DOLLARS,
the amount of a written bid made by the said T. H. Delk
for the property in the bill and proceedings mentioned,
that he has executed a deed, with SPECIAL WARRANTY, con-
veying the said property to the said T. H. Delk and that
he has delivered the same to the said T. H. Delk; that he
has deposited in The Merchants and Farmers Bank, Inc. the
said sum of \$6600.00 to the credit of the said Special
Commissioner; that he has paid all of the accrued costs
in this suit as follows:

By amount paid A. S. Johnson, Clerk's fee	14.00
By amount paid A. S. Johnson, Commissioner in Chancery	30.00
By amount paid Geo. F. Whitley, taxed attor- ney's fee	15.00
By amount paid A. S. Barrett, Agent, premiums on bond	21.00
By amount paid Geo. F. Whitley for drawing Special Commissioner's deed	10.00
By amount paid Geo. F. Whitley, Special Com- missioner, commissions	141.00

	231.00
By amount paid C. W. Warren, witness	5.00
By amount paid A. C. Lyon, witness	5.00
By amount paid E. G. Pashiehl, witness	5.00
By amount paid for revenue stamps for deed	7.00
By amount paid Notary for acknowledgments	<u>.50</u>
	\$253.50

Your Commissioner respectfully represents that
 there is ~~now~~ a balance to his credit in the said bank of
 \$6546.50.

Respectfully submitted.

G. F. Whitley
 Special Commissioner

. 9

D. B. WARD ET AL

Vs) IN CHANCERY #338

JOHN R. WARD ET AL

Special Commissioner's

Report

1420

July 19th

Filed W.D.W.

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

D. B. Ward et al

Plaintiffs

VS

John R. Ward et al

Defendants

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

The undersigned Special Commissioner respectfully submits the following report:

That pursuant to a decree heretofore entered in this cause, he has received from T. H. Delk a written bid for the land in the bill and proceedings mentioned, which bid is returned herewith, the amount of said bid being SIXTY ~~84~~ HUNDRED (\$600.00) DOLLARS, to be paid in cash upon delivery of the deed for the said property.

Your Commissioner here states that he has submitted the above bid to the adult defendants and that they are willing to accept same. Your Commissioner further states that he believes the price offered is a fair one for the property and would recommend that the same would be accepted.

Respectfully submitted.



Special Commissioner

x 2

D. B. Ward et al.

(V3)

John R. Ward et al

*Special Committee
Report.*

Sub June 11-1920

4

VIRGINIA: Circuit Court of the County of Isle of Wight.

D. B. Ward and Rose C. Ward

vs) Chancery.

John R. Ward and W. L. Ward, an infant, under the age of twenty one years.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

The undersigned, one of the Commissioners in Chancery of your Honor's Court, respectfully reports that the papers in the above entitled cause have been referred to him for the execution of a decree entered therein on the 3rd. day of May, 1920; and that after due notice to the parties he did, on 18th. day of May, 1919, at the office of George F. Whitley, attorney at law, in the town of Smithfield, in this County, proceed with the execution thereof, and in the presence of counsel for all of the adult parties, both plaintiff and defendant, ^{and of the guardian ad litem} took the testimony of A. C. Lyon, C. W. Warren and H. G. Deshield, competent witnesses, which is herewith returned as a part of this report, and from which, and from the records filed in the office of the Clerk of this Court he is informed and reports as follows:

1. Of what real estate the parties hereto are seized and possessed, a description of said land and where located? Answer: John W. Ward, in his life time, had conveyed to him, by M. Q. Holt, by his deed bearing date the 8th. day of September, 1860, the tract of land on which he then resided (excepting the grave yard) and adjoining the lands of or formerly owned by Wiley J. Delk, the land on which Wilson Jones formerly resided, and the land now owned by Geo. W. Carroll, Watson White, Geo. Barlow and I. A. Stallings, J. E. Edwards and others, containing four hundred acres, more or less, and was seized of same at the time of his death, and by his last will and testament, bearing date the 16th. day of September, 1904, and admitted to probate on the 2nd. day of October, 1905, devised the said land to Lucy A. C. Ward, his wife, who died intestate, during the year 1916, as appears from the Bill filed in a suit in chancery in this court, filed June 3rd. 1918, praying partition of said land, and in which suit all proper orders and decrees seem to have been entered, and in which Sallie P. Ward* took the following described tract of land: "Beginning at a point on the road leading from Mill Swamp Church to Burwell's Bay, and at the centre of a ditch, which partly crosses the field lying south of the dwelling house; running thence in a westerly direction, down the centre of said ditch to where the said ditch empties into a branch; running thence in a more westerly direction down said branch along a line of marked trees to a black gum in the centre of a swamp, a corner on the lands of C. M. Gale; running thence in a northerly direction up the windings of said swamp, it being the dividing line between the lands of C. M. Gale and the lands of C. M. Gale and the lands of C. M. Gale; running thence in an easterly direction along the lands of the said C. M. Gale to the lands of W. H. Gale, a corner on what is known as the Surry Road; running thence along the lands of the said W. H. Gale and down the said Surry Road to a corner on the said Burwell's Bay road; running thence down the said Burwell's Bay road towards Mill Swamp Church, to the centre of said ditch, the point of beginning". The said Sallie P. Ward having died intestate, her share in said land, described above, fell to her brother, John R. Ward, and to the children of her brother, Dr. W. L. Ward, who are D. B. Ward, Rose C. Ward, adults, and W. L. Ward, junior, an infant. ~~Said D. B. Ward, by his~~

* who, according to the affidavit of her administrator, made affidavit, according to law, died on the 1st day of June 1919

who are now the owners of said property.

2nd. Whether the said real estate can be conveniently divided among the several parties entitled thereto; and if the same cannot be conveniently divided among the several parties entitled thereto, whether it will be to the interest of all parties that the same shall be sold and the proceeds divided among the parties according to their respective interests; or by an allotment of a part and a sale of the residue? Answer. It appears that there is no convenient way to make division of the said property except by a sale of the whole and a division of the proceeds.

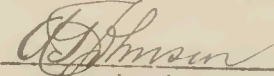
3. And if the same cannot be conveniently divided, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to? Answer. It does not appear in evidence that any party will take the property and pay the others for their interests therein.

4. The annual and fee simple values of the real estate in the Bill and proceedings mentioned, ~~and the respective interests of the parties mentioned,~~ and the respective interest of the parties entitled thereto, and how the same were acquired, and the age of the infant defendant? Answer. The annual value of this piece of land is five hundred dollars and the fee simple value is sixty five hundred dollars. The respective interests of the parties herein are John R. Ward one half, and the children of W. L. Ward one half, or one sixth each, the same being acquired by inheritance. The age of the infant defendant is fourteen years.

5. Whether or not there are any liens against the said land for delinquent taxes, or otherwise, and whether or not there are any liens against the interest of any party? Answer. D. B. Ward, by his deed bearing date the January 28th. 1920, and of record in Deed Book No. 90, page 103, conveyed the land herein mentioned to George F. Whitley, in trust to secure to T. H. Delk the payment of the sum of \$325.00, evidenced by a note of even date with said deed of trust, payable one year after date. Rose C. Ward, by her deed bearing date the 30th. day of January, 1920, and of record in Deed Book No. 90, page 130, conveyed her interest in this land to said George F. Whitley, in trust to secure T. H. Delk the payment of the sum of \$375.00, of even date with said deed of trust, payable one year after date. D. B. Ward, by his deed bearing date the 9th. day of April, 1920, and of record in Deed Book No. 90, page 167, conveyed his interest in the land herein mentioned, in trust, to J. R. Rowell, jr. trustee, to secure to George F. Whitley the payment of the sum of \$2058.50, evidenced by a negotiable note, of even date with said deed of trust, payable ninety days after date. All of the deeds here mentioned are outstanding and subsisting liens upon the said interest of D. B. Ward and Rose C. Ward in said land.

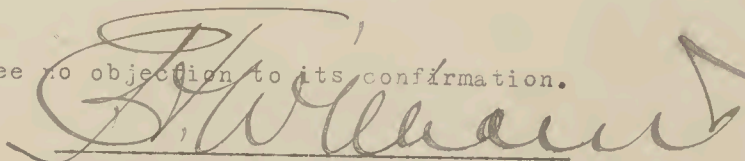
6. Whether or not all the proper and necessary parties are properly before the Court? Answer. It so appears.

Respectfully submitted,


Commissioner in Chancery.

Commissioner,	\$ 30.00
Witnesses:	
C. W. Warren,	5.00
H. G. Deshield,	5.00
A. C. Lyon,	5.00

I have examined this report and see no objection to its confirmation.


Guardian ad litem.

A. C. Lyon being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. A. C. Lyon, thirty years of age, residence, Windsor, in Isle of Wight County, Virginia, occupation- dealer in real estate.

Q. Are you acquainted with the tract of land in this County, of which Sallie P. Ward died seized, adjoining the lands of C. M. C. Gale, Willie Delk, T. H. Delk and others? Ans. Yes Sir, I have today, been over this tract of land, in company with Mr. H. G. Deshield, and Mr. C. W. Warren, for the purpose of putting an estimate upon its value.

Q. Where is this piece of land located? Ans. About nine miles from Smithfield, on the Proctors Bridge road.

Q. How many acres in this tract? Ans. About ninety acres in woods, and forty acres open. There is nothing but fire wood on the place, and the open land is in fair condition, with a good residence and outbuildings.

Q. The bill states that this piece of land is the property of John R. Ward, and the children of W. L. Ward, who are D. B. Ward, Rose C. Ward, and W. L. Ward Jr. If this is true, can the property mentioned, be conveniently divided among them? Ans. No other way than by selling the entire property, and a division of its proceeds.

Q. What do you consider a fair fee-simple, and what a fair annual value for this land? Ans. Sixty five hundred dollars fee-simple, and Five hundred annual.

And further this deponent saith not.

A. C. Lyon

H. G. Deshield being duly sworn, deposes and says:

Please state your name, age, residence and occupation? Ans. H. G. Dashiell, thirty years of age, live in Isle of Wight County and am a farmer.

Q. Are you acquainted with the land, in Isle of Wight County, of which Sallie P. Ward died seized and possessed. Ans. Yes- I have been upon the land, in company with Mr. A. C. Lyon and Mr. C. W. Warren, for the purpose of ascertaining whether or not it could be conveniently divided among the parties entitled to share the same, and its value. I have read the testimony of Mr. A. C. Lyon, given in this matter, and agree, in detail with him.

And further this deponent saith not.

H. G. Dashiell

C. W. Warren being duly sworn deposes and says:

Please state your name, age, residence and occupation? C. W. Warren, live in Smithfield, Isle of Wight County, Virginia, and am a farmer. I am sixty one years of age.

Please state if you are acquainted with the land, in Isle of Wight County, of which Sallie P. Ward died siezed and possessed? Ans. Yes sir, I have just been over this land, and made a view of it for the purpose of ascertaining whether or not it could be divided among the brother of Sallie P. Ward and the children of Dr. W. L. Ward, her brother, who is dead. I have read the testimony given by Mr. A. C. Lyon and agree with him, in detail.

and further this deponent saith not.

C. W. Warren

Adele B. Ward being duly sworn deposes and says as follows:

Q. State your name, age, occupation and residence

A. Adele B. Ward, I will be 50 years old on the 17th day of January, 1921, and I live in Smithfield.

Q. You are the widow of W. L. Ward, deceased, are you not?

A. Yes sir.

Q. When did your husband die, Mrs. Ward?

A. Three years ago this June.

Q. Did your husband leave surviving him any children?
If so please state their names and ages.

A. He left three, two sons and one daughter, namely:
D. B. Ward, age 26, W. L. Ward, age 14, and Rose C. Ward age 22, July 1920.

Q. Did your husband leave surviving him any sisters and brother, and mother or father?

A. His mother and father died some years before he died, but he left surviving him one brother and one sister, namely: John R. Ward and Callie P. Ward

Q. Are his brother and sister now living?

A. His brother is living, but his sister died about a year ago.

Q. Did his sister own any land at her death?

A. Yes sir, she owned what is known as the "Home Place" in this county, containing so I understand, 130 or more acres of land,

Q. Mrs. Ward, a suit has been brought by D. B. Ward and Rose C. Ward for the purpose of partitioning the land of which Callie P. Ward died seized and possessed. Do you know whether or not any of the parties

in interest desire to purchase the entire property and
pay the others for their share therein?

A. I understand that none of them desire to purchase
the land.

And further this deponent saith not.

Odile B. Ward -

5

D.R. Hard et al.

n { Cy. No 338

John R. Hard et al.

Filed May 18-1970

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

D.B.Ward and Rose C. Ward

Plaintiffs

VS) IN CHANCERY

John R. Ward and W. L. Ward, the last named being
an infant under the age of twenty one years, Defendants

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

The answer of John R. Ward to a bill in equity
exhibited against him and others in the Circuit Court
of the County of Isle of Wight, by D. B. Ward and Rose
C. Ward.

This respondent saving and reserving etc, in
answer to the said bill says, that he is the brother of
Sallie P. Ward, deceased; that he believes the statements
made in the said bill are true and that he concurs in the
prayer of same.

And now having fully answered he prays to be
hence dismissed with his cost etc.

A handwritten signature in blue ink, reading "John R. Ward", written over a horizontal line.

3

D. B. Ward et al

VS) IN CHANCERY 338

John R. Ward et al

Answer of
John R. Ward

1920
May 3.
Filed J.R.W.

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

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

D. B. Ward and Rose C. Ward, Plaintiffs

Vs) IN CHANCERY

John R. Ward and W. L. Ward, an infant
under the age of twenty one years, Defendants

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

The answer of W. L. Ward, an infant under the age of twenty-one years, by E. H. Williams, a competent attorney at law, his guardian ad litem, assigned to him in this suit; and the answer of the said E. H. Williams guardian ad litem for the said infant defendant to the bill of complaint exhibited against him by D. B. Ward and Rose C. Ward in the Circuit Court for the County of Isle of Wight.

For answer to the said bill the said defendant by his guardian ad litem, answers and says that being of tender years he does not know what his true interest is in relation to the subject matter of the said bill, nor does he know whether or not the statements therein contained are true; that he confides the protection of his interest therein to the care of the Court; and the said guardian ad litem of the said defendant for answer to the said bill, answers and says that he knows nothin of the truth or falsity of the statement in the bill contained. He prays further protection for the infant defendant, and now having fully answered this defendant prays to be hence dismissed with his costs etc.



guardian ad litem

J. S. Hunt

By E. H. Williams

Guardian ad Litem

STATE OF VIRGINIA,

County of Isle of Wight, to-wit:

Submitted and sworn to before me in my
County aforesaid by E. H. Williams, guardian ad
litem, as aforesaid, this 3 day of May
1920.

~~My commission expires on the ____ day of~~
~~____, 19____.~~

Given under my hand this 3 day of
May, 1920.

Ad Johnson
Clerk in Charge

D. B. Ward et al

VS) IN CHANCERY 338

John R. Ward et al

Answer of Guardian ad

Litem

1450

May 3,

Filed B.D.W.

GEORGE F. WHITLEY

ATTORNEY-AT-LAW

SMITHFIELD, VA.

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

D. B. Ward, et al.

Plaintiff

VS

John R. Ward et als.,

Defendants

TO THE HONORABLE JUDGE OF THE SAID COURT:

Your petitioner, William Ward, respectfully represents
the following:

That he was the infant defendant in the above styled
suit; that he became 21 years of age on the 1st day of March
1927; that he is informed that the amount due him out of
the proceeds derived from the sale of the property in the
bill and proceedings mentioned is \$1024.43.

Your petitioner prays that George F. Whitley, Special
Commissioner in the above suit, be directed to pay to him
the above amount.

And your petitioner will ever pray, etc.

William Ward.

Ward et al

Vs:

Ward et als

Petition

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

D. B. Ward and Rose C. Ward Plaintiffs

VS: IN CHANCERY

John R. Ward and W. L. Ward, the last
named being an infant under the age of
twenty one years Defendants

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

Complaining, sheweth unto the Court your complainants, D. B. Ward and Rose C. Ward, the following case:

That Sallie P. Ward, sister of their father W. L. Ward, deceased, departed this life during the month of May in the year 1919, about two years after the death of their father W. L. Ward, deceased, leaving surviving her as her only heirs at law, one brother, namely, John R. Ward and your complainants and W. L. Ward their brother, and the infant defendant in this suit.

That the said Sallie P. Ward died intestate owning at the time of her death certain real estate situate in Hardy Magisterial District in the County of Isle of Wight, adjoining the lands of C. M. C. Gale, Willie Delk, T. H. Delk and others.

Your complainants here state that the said real estate is, as they believe, susceptible to partition among the parties entitled thereto; but if it be not, then your complainants desire the same to be sold and the proceeds divided among your complainants and the defendants according to their respective rights; should the property be not divisible among the parties entitled thereto, your

complainants believe and here state that the interest of those who are entitled to the said real estate or its proceeds will be promoted by sale of the whole of real estate or by the allotment of part and sale of the residue.

In tender consideration whereof and in as much as your complainants are remediless in the premises save by the aid of a Court of equity where matters of this character are alone and properly cognizable, your complainants pray that the said John R. Ward be made a party defendant to this bill; that a proper guardian ad litem be assigned W. L. Ward to defend his interest in this suit, who shall answer this bill; that proper process issue, that said real estate be divided among the several parties entitled thereto; and your complainants portion thereof be allotted to them, and in case the said real estate to be partitioned, can not be conveniently partitioned, that the same be exposed to sale, and the proceeds be divided among the parties entitled thereto; that all proper orders and decrees may be made and proper inquiries be directed; and that all such other further and general relief be afforded your complainants as the nature of their case may require, or of equity shall seem meet. And notice is hereby given that proper counsel fees will be asked for in the progress of this suit. And your complainants will ever pray etc.

D. B. Ward

Rose C. Ward

By _____

Counsel

D. B. Ward et al

VS) IN CHANCERY 338

John R. Ward et al

Bill

1920
May 3.
Filed J.D.W.

May 3rd. 1920: Bill filed
in open court; E. H. William
appointed guardian ad litem,
and filed his answer and an-
swer of infant defendant.
Adult defendant filed his
answer and cause set down
for hearing thereupon.

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