

1929-004 Chancery Causes: Lewis T. Briggs, adm of Rebecca J. Briggs + Mary J. Briggs
Isle of Wight County vs Mary Allen Magee + al

519

Other SURNAMES: Bailey,
Butler, Gwaltney Folk
Allman, [C. T. King + Son],
King, [E. L. Folk + Company],
[K. E. Barrett + Company],
Barrett, [C. W. Bailey +
Company], Holloway Hall,
Wilson

5
VIRGINIA: IN THE CIRCUIT COURT
OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN, etc.

vs.

MARY ALLEN MAGEE, et als.

.....
.
BILL OF COMPLAINT

Rules entered within

Dep. 11/25/27 150

G. A. HARRIS

ATTORNEY AND COUNSELLOR AT LAW

SUFFOLK, VIRGINIA

1927.
November 26th.

Memo and affidavit for order publication filed.

Copy sent to Smithfield Times, for publication; entered

1st December Rules. Copy mailed to each adult deftd at

//.last known P.O.address. Bill Filed.

2nd Dec. Rules 1927; Continued for order publication.

Jan. 2nd 1928. Printers certificate filed. completing O.P.

2nd. January Rules 1928.O.P. Executed. Cause set down for
hearing.W.E.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN, etc.....COMPLAINANT

vs.

MARY ALLEN MAGEE et als.....DEFENDANTS.

THE JOINT AND SEPARATE ANSWER OF EDITH BUTLER, REBECCA L. BRIGGS AND MARY L. BRIGGS (INFANTS UNDER THE AGE OF TWENTY ONE YEARS), BY WILLIAM S. HOLLAND (A DISCREET AND COMPETENT ATTORNEY AT LAW), THEIR GUARDIAN AD LITEM ASSIGNED TO DEFEND THEM IN THIS SUIT, AND THE ANSWER OF THE SAID WILLIAM S. HOLLAND, GUARDIAN AD LITEM OF THE SAID INFANT DEFENDANTS, TO A BILL OF COMPLAINT EXHIBITED AGAINST THEM AND OTHERS BY LEWIS T. BRIGGS, IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA.

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

And the said guardian ad litem of the said infant defendants for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants.

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

Edith Butler)
Rebecca L. Briggs)
Mary L. Briggs)

By William S. Holland
Guardian ad Litem.

William S. Holland
Guardian ad Litem.

Subscribed and sworn to before me, *Katherine Early*,
a Notary Public, in the City of Suffolk, State of Virginia, by
William S. Holland, guardian ad litem, this 2nd day of January,
1928.

& *Katherine Early*
Notary Public.

B-3 - 22
 " " 23
 " " 54 ✓
 " " 103 ✓
 " " 106 ✓
 " " 110 ✓

B-92 " 69 ✓

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

LEWIS T. BRIGGS, Guardian, etc.

vs.

MARY ALLEN MAGEE et als.

.....

ANSWER OF GUARDIAN

AD LITEM.

1928 Jan 21. Filed.
 J.M.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L.
BRIGGS.....COMPLAINANT

vs.

MARY ALLEN MAGEE, SELENA
BAILEY, JOHN LEE BUTLER,
ARNETT BUTLER, KING S.
BUTLER, ~~AND~~ EDITH BUTLER, REBECCA L. BRIGGS and MARY L. BRIGGS,
the last ^{three} being ~~xx~~ infants
under twenty one years
of age.....DEFENDANTS.

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

Your complainant, Lewis T. Briggs, Guardian of Rebecca L. Briggs and Mary L. Briggs, respectfully represents that John Butler died intestate in May, 1922, leaving the following children: Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler, and also leaving Rebecca L. Briggs and Mary L. Briggs, the children of Fannie Butler Briggs, his deceased daughter.

That the said John Butler died seised and possessed of the following real estate, to-wit:

"All that certain piece or parcel of land situated in the County of Isle of Wight and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Your complainant further represents that he was appointed and qualified as Guardian of the said Rebecca L. Briggs and Mary L. Briggs in your Honor's Court on the 14th day of November, 1927, as will appear from a certificate

of the Clerk of said Court showing same, herewith filed, marked "Exhibit A", and prayed to be read as a part of this bill.

That the said Rebecca L. Briggs and Mary L. Briggs are of the age of nine and six years, respectively.

That the said Rebecca L. Briggs and Mary L. Briggs are coparceners with Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler in the real estate hereinabove described.

That the said Rebecca L. Briggs and Mary L. Briggs derived an interest in said property by inheritance from their mother, Fannie Butler Briggs, deceased, the daughter of John Butler, deceased; and that the said property is all the estate, real or personal, belonging to the said Rebecca L. Briggs and Mary L. Briggs.

Your complainant further represents that a partition or sale of the aforesaid property would promote the interest of the said infants, Rebecca L. Briggs and Mary L. Briggs, and that the rights of no person will be violated by said partition or sale; that the aforesaid property contains only about 65 acres; that the defendants have deserted the said property and have left the State; that the buildings on said property are fast becoming dilapidated; the lands are becoming sterile; and the fences and ditches are already in bad condition; and that the said property, taken as a whole, is rapidly depreciating in value.

The heirs and distributees of the said infants, Rebecca L. Briggs and Mary L. Briggs, if they were dead, would be Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler, the defendants in this suit.

In consideration whereof, and for as much as your

complainant is remediless in the premises, save in a court of equity, your complainant prays that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler Rebecca L. Briggs and Mary L. Briggs ~~and~~ Edith Butler may be made parties defendant to this bill; that a guardian ad litem be appointed to defend the rights of the said infants, ^{Rebecca L. Briggs and Mary L. Briggs} Edith Butler; that the adult defendants be required to answer the allegations herein contained, but answer under oath is hereby waived; that the said infants may answer by their said guardian ad litem to be assigned to them, who, as well as the said infants, shall answer the said bill on oath in proper person; that the aforesaid property may be decreed to be partitioned among the several parties entitled thereto or sold, and the proceeds divided according to the respective interests therein; that all proper accounts may be taken, inquiries directed, and orders entered; and that your complainant may have all such further and other and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

By G. Asbury
Counsel.

G. Asbury p.q.

STATE OF VIRGINIA,
CITY OF SUFFOLK, to-wit:

Lewis T. Briggs, guardian of Rebecca L. Briggs and Mary L. Briggs, the complainants named in the foregoing bill, being duly sworn, says that the facts and allegations therein contained are true, except so far as they are therein stated to be on information, and that so far as they are therein stated to be upon information he believes them to be true.

Lewis T. Briggs
Guardian of Rebecca L. Briggs and
Mary L. Briggs.

Subscribed and sworn to before me in my City and State afore-
said this 25th day of November, 1927.

Minnie Levine
Notary Public.

CLERKS OFFICE OF THE

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. November 26 1927

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L
BRIGGS

Complainants

VS

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS, and MARY L.
BRIGGS, the last three being
infants under twenty one years
of age,

Defendants.

The object of this suit is to partition, in one of the modes prescribed by law, certain real estate in the County of Isle of Wight, Virginia, of which John Butler died seized and possessed, and being generally described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight, and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler are non-residents of the State of Virginia, and that their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do appear here within ten (10) days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy Teste:

R. A. Earnest

Clerk.

G. A. Harris

p. q.

CLERKS OFFICE OF THE

VIRGINIA: IN THE/CIRCUIT COURT OF ISLE OF WIGHT COUNTY, November 26, 1927

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY
L. BRIGGS

Complainant

vs

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS AND MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.

Defendants.

The object of this suit is to partition, in one of the modes prescribed by law, certain real estate in the County of Isle of Wight, Virginia, of which John Butler died seized and possessed, and being generally described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight, and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler are non-residents of the State of Virginia, and that their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do appear here within ten (10) days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy Teste:

R. A. Edwards
Clerk.

G. A. Harris

p. q.

CLERKS OFFICE OF THE

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. November 26, 1927

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY
L. BRIGGS

Complainant

vs

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS AND MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.

Defendants.

The object of this suit is to partition, in one of the modes prescribed by law, certain real estate in the County of Isle of Wight, Virginia, of which John Butler died seized and possessed, and being generally described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight, and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler are non-residents of the State of Virginia, and that their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do appear here within ten (10) days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy Teste:

R. A. Harris
Clerk.

G. A. Harris

p. q.

CLERKS OFFICE OF THE
VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. November 26 1927

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L
BRIGGS

Complainants

vs

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS, and MARY L.
BRIGGS, the last three being
infants under twenty one years
of age,

Defendants.

The object of this suit is to partition, in one of the modes prescribed by law, certain real estate in the County of Isle of Wight, Virginia, of which John Butler died seized and possessed, and being generally described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight, and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler are non-residents of the State of Virginia, and that their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do appear here within ten (10) days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy Teste:

G. A. Harris

p.q.

N. A. Edwards
Clerk.

CLERKS OFFICE OF THE
VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. November 26 1927
^

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY
L. BRIGGS

Complainant

VS

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS AND MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.

Defendants.

The object of this suit is to partition, in one of the modes
prescribed by law, certain real estate in the County of Isle of
Wight, Virginia, of which John Butler died seized and possessed, and
being generally described as follows:

"All that certain piece or parcel of land situated in the
County of Isle of Wight, and State of Virginia, contain-
ing by estimation 63 acres, be the same more or less, but
it is expressly understood that this land is sold by the
tract regardless of the number of acres, and is bounded
and described as follows, to-wit: On the North by the lands
of R. J. Edwards, on the South by the lands of Wm. N. Gray,
on the West by the lands of W. N. Price, and on the East
by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee,
Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and
Edith Butler are non-residents of the State of Virginia, and that
their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey,
John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do
appear here within ten (10) days after due publication of this order
and do what is necessary to protect their interest in this suit.

A copy Teste:

R. A. Eason
Clerk.

G. A. Harris

p. c.

CLERKS OFFICE OF THE
VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY. November 26 1927

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY
L. BRIGGS

Complainant

vs

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETTE BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS AND MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.

Defendants.

The object of this suit is to partition, in one of the modes prescribed by law, certain real estate in the County of Isle of Wight, Virginia, of which John Butler died seized and possessed, and being generally described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight, and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. M. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler are non-residents of the State of Virginia, and that their last known post office addresses were as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

It is ordered that the said Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith Butler do appear here within ten (10) days after due publication of this order and do what is necessary to protect their interest in this suit.

A copy Teste:

R. A. Edwards
Clerk.

G. A. Harris

p. q.

7 copies
VIRGINIA:

CLERKS OFFICE OF THE

IN THE/CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

November 26, 1927.

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L.

BRIGGS.....COMPLAINANT

vs.

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETT BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS and MARY L.

BRIGGS, the last three being
infants under twenty one years

of age.....DEFENDANTS

The object of this suit is to partition, in one of the
modes prescribed by law, certain real estate in the County of Isle
of Wight, Virginia, of which John Butler died seised and possessed,
and being generally described as follows:

"All that certain piece or parcel of land situated
in the County of Isle of Wight and State of Virginia,
containing by estimation 63 acres, be the same more
or less, but it is expressly understood that this
land is sold by the tract regardless of the number
of acres, and is bounded and described as follows,
to-wit: On the North by the lands of R. J. Edwards,
on the South by the lands of Wm. N. Gray, on the
West by the lands of W. N. Price, and on the East
by the lands of Henderson Jones."

Affidavit having been made and filed that Mary Allen
Magee, Selena Bailey, John Lee Butler, Arnett Butler, King S.
Butler and Edith Butler are non-residents of the State of Vir-
ginia, and that their last known post office addresses were as
follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland.

It is ordered that the said Mary Allen Magee, Selena
Bailey, John Lee Butler, Arnett Butler, King S. Butler and Edith
Butler do appear here within ten (10) days after due publication

of this order and do what is necessary to protect their interest in this suit.

A Copy Teste:

R. A. Edwards
Clerk.

G. D. Harris p.q.

Virginia, In the Clerks Office of the Circuit Court of the County of
Isle of Wight, November 26th 1927:

I, R. A. Edwards, Clerk of the Circuit Court of the County afore-
said do hereby certify that the foregoing order of Publication was
this day filed in my office, a copy posted at the front door of the
Court House of this County, a copy mailed to the Smithfield Times, a
newspaper having general circulation in said County, for publication
as the law directs, and a copy mailed to each of the non-residents
named herein, at their last known Post Office Address.

R. A. Edwards
Clerk.

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

LEWIS T. BRIGGS, GUARDIAN, etc.

vs.

MARY ALLEN MAGEE, et als.

.....

ORDER OF PUBLICATION.

VIRGINIA: CLERKS OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
ISLE OF WIGHT

Mar. 26 - 1927

Friday

Testo, A. C. Edwards Clerk.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L.
BRIGGS.....COMPLAINANT

vs.

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETT BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS and MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.....DEFENDANTS

TO THE CLERK OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Application is hereby made for an order of publication
against Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett
Butler, King S. Butler and Edith Butler, who are non-residents of
Virginia, and whose last known addresses are as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland.

D. B. Harris
Attorney.

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

LEWIS T. BRIGGS, GUARDIAN, etc.

vs.

MARY ALLEN MAGEE et als.

.....

APPLICATION FOR
ORDER OF PUBLICATION

CLERK'S OFFICE OF THE
CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT

Mar 26 - 1927

Fried

Teste A. G. Edwards Clerk

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L.
BRIGGS.....COMPLAINANT

vs.

MARY ALLEN MAGEE, SELENA
BAILEY, JOHN LEE BUTLER,
ARNETT BUTLER, KING S.
BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS and
MARY L. BRIGGS, the last
three being infants under
twenty one years of age.....DEFENDANTS

STATE OF VIRGINIA,
CITY OF SUFFOLK, to-wit:

This day personally appeared before me, Minnie Lavine,
a Notary Public for the City aforesaid, in the State of Virginia,
Lewis T. Briggs, guardian of Rebecca L. Briggs and Mary L. Briggs,
and made oath that to the best of his knowledge and believe Mary
Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, King
and
S. Butler, /Edith Butler are non-residents of Virginia, and that
their last known post office addresses are as follows:

Mary Allen Magee
Selena Bailey
John Lee Butler
Arnett Butler
King S. Butler
Edith Butler

Elmont, Virginia
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland
Baltimore, Maryland

Lewis T. Briggs

Subscribed and sworn to before me this 25th day of
November, 1927, in my City and State aforesaid.

Minnie Lavine
Notary Public.

2
VIRGINIA: IN THE CIRCUIT
COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN, Etc.

vs.

MARY ALLEN MAGEE et als.

.....

AFFIDAVIT

CLERKS OFFICE OF THE
COURT OF THE COUNTY
ISLE OF WIGHT

Nov. 26

19*27*

Falid

Testo. *N. G. Edwards* Clerk

THE SMITHFIELD TIMES

"One of Virginia's Leading Weeklies in the Circulation Field"

Smithfield, Virginia

Dec. 31st, 1927.

TO WHOM IT MAY CONCERN:

I, Percy N. Bristow, editor of the Smithfield Times, a weekly newspaper published at Smithfield, County of Isle of Wight, State of Virginia, do hereby certify that the order of publication vs. Hagge, Bailey, and others appeared for successive weeks in our issues of December 2, 1927, and 23rd, 1927, a copy of which is attached.

Signed:

Percy N. Bristow
Editor

VIRGINIA:
IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT OF ISLE OF
WIGHT COUNTY, NOVEMBER 26,
1927.

Lewis T. Briggs, guardian of Rebecca
L. Briggs and Mary L. Briggs, Com-
plainant,

vs.

Mary Allen Hagge, Selena Bailey, John
Lee Butler, Arnette Butler, King S.
Butler, Edith Butler, Rebecca L.
Briggs and Mary L. Briggs, the last
three being infants under 21 years
of age, Defendants.

The object of this suit is to partition,
in one of the modes prescribed by law,
certain real estate in the County of
Isle of Wight, Virginia, of which John
Butler died seized and possessed, and
being generally described as follows:

"All that certain piece or parcel of
land situated in the County of Isle of
Wight, and State of Virginia, contain-
ing by estimation 63 acres, be the same
more or less, but it is expressly un-
derstood that this land is sold by the
tract regardless of the number of
acres, and is bounded and described as
follows, to-wit: On the North by the
lands of R. J. Edwards, on the South
by the lands of Wm. N. Gray, on the
West by the lands of W. N. Price, and
on the East by the lands of Henderson
Jones."

Affidavit having been made and filed
that Mary Allen Hagge, Selena Bailey,
John Lee Butler, Arnette Butler, King
S. Butler and Edith Butler are non-
residents of the State of Virginia, and
that their last known postoffice ad-
dresses were as follows:

Mary Allen Hagge, Elmont, Virginia.
Selena Bailey, Baltimore, Maryland.
John Lee Butler, Baltimore, Mary-
land.

Arnette Butler, Baltimore, Maryland.
King S. Butler, Baltimore, Maryland.
Edith Butler, Baltimore, Maryland.

It is ordered that the said Mary Al-
len Hagge, Selena Bailey, John Lee
Butler, Arnette Butler, King S. Butler
and Edith Butler do appear here with-
in ten (10) days after due publication
of this order and do what is necessary
to protect their interest in this suit.

A copy Teste:

R. A. EDWARDS, Clerk.
G. A. HARRIS, p.q.

Briggs, Gordon

73 } 6th Publication

many acum moghie stas,

Frid Jan 2-1928

Lewis J. Briggs, Guard

W. Cy # 519

Mary Allen Magee

On In Cy Report.

Filed Feb. 7th 1928.

L. A. Edwards
ceh

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

7. 7/2/28.

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

Louis T. Briggs, Guardian of)
Rebecca L. and Mary L. Briggs,)
Complainant.)

vs)

Mary Allen Magee, Selena Bailey,)
John Lee Butler, Arnett Butler,)
King S. Butler, Edith Butler,)
Rebecca L. Briggs and)
Mary L. Briggs, the last three)
being infants under the age of)
twenty one years,)
Defendants.)

COMMISSIONER'S REPORT.

To the Honorable Judge of the Circuit Court of the County
of Isle of Wight:

The undersigned, one of the Commissioners in Chancery for
the Circuit Court aforesaid, to whom was referred the papers in
the above entitled cause by decree entered therein on the 31st
day of January, 1928, respectfully reports to the Court that on
Friday, February 3rd, 1928, at Isle of Wight Courthouse, begin-
ning at 2 o'clock, P.M., and in the presence of G. A. Harris,
attorney for the Complainant, and William S. Holland, Guardian
ad litem for the infant Defendants, took and reduced to writing
the testimony of Louis T. Briggs, J. W. Hall and F. L. Wilson,
persons well acquainted with the parties to this suit, as well
as the property in question, and which is herewith returned as
a part of this report and from such testimony ⁵⁴was taken, and
from the records on file in the Clerk's Office of your honors
court, is informed and reports as follows:

First: Whether the real property in the bill mentioned,
can be conveniently divided in kind between the several parties
entitled to share therein.

A: Your Commissioner is informed and herewith reports,
that from the evidence submitted before said Commissioner, that

the real property mentioned in the bill cannot be conveniently divided in kind between the several parties entitled to share therein; the property in question of which John Butler died, siezed and possessed, consists of sixty-three (63) acres, more or less, as shown by the land books on file in the Clerk's Office of Isle of Wight County, which said land is located about three and one-half ($3\frac{1}{2}$) miles from Isle of Wight Court-house, in Newport District, adjoining the lands of R. J. Edwards and others, and were it divided into as many shares as there are parties to the suit it would no doubt work to the detriment of the parties entitled thereto instead of to their advantage.

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

A: Your Commissioner is advised and herewith reports that so far as he knows, and from the evidence submitted before him, no party in interest desires to take the entire property and pay therefor to the other parties such sums of money as their interests may entitle them to, and your Commissioner further reports that the property in question has apparently been abandoned by all of the parties in interest, inasmuch as no one of them is at this time residing upon the property.

Third: And if the same cannot be conveniently divided in kind, and no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue.

A: Your Commissioner is informed and herewith reports that he does not believe that the interests of those who are

entitled to the property will be promoted by a n allotment of a part and a sale of the residue, but from the evidence submitted, believes, ^{that it will be to their advantage -} and herewith recommends that the whole property be exposed to sale, and that the proceeds therefrom be divided among the parties entitled to share therein.

Your Commissioner wishes to further report that the property in question having been abandoned practically, and nothing being done towards its upkeep, is, unquestionably, declining in value, and for that reason, if none other, your Commissioner recommends a sale of the entire property.

Fourth: The fee simple and annual value of said land.

A: From the evidence produced before your Commissioner the fee simple value of the real estate mentioned in the bill and proceedings of this suit appears to have a fee simple value of from \$800.00 to \$900.00, while its annual value appears to be \$75.00.

Fifth: Whether or not there are any delinquent taxes, or other liens against said land.

A: Your Commissioner begs leave to report that after careful search of the records on file in the Clerk's Office of Isle of Wight County, that the following liens appear, and while your Commissioner is not fully advised, he is of the impression that certain of these liens are pertaining to some other John Butler, other than the one in question, and not being in a position to establish that fact, herewith reports the same in order that they may be further investigated.

A deed of trust dated March 1st, 1901, made by John and Mary Butler, conveying in trust the land mentioned in the bill, and to secure P. D. Gwaltney, Jr., the sum of two hundred dollars (\$200), as evidenced by one note of even date; the same being of record in Deed Book #66 at page #288; it having been recorded March 4th, 1901. This deed of trust, however, appears to

be barred by the statute of limitation, although your Commissioner believes that the same has long since been paid.

A deed of trust made by John and Mary Butler, dated the 2nd day of January, 1922, conveying in trust the land mentioned in the bill, and to secure Granville C. Allman the sum of one thousand dollars (\$1000.00), evidenced by bond of even date, which said instrument was admitted to record January 5th, 1922, in Deed Book #92 at page #69.

In connection with the above mentioned deed of trust, while your Commissioner has no positive proof of the fact, he is likewise of the opinion that this deed of trust was paid off out of life insurance money, received at the death of John Butler by his widow, though she never caused the same to be released during her lifetime.

The original holder of this bond resides near Isle of Wight Courthouse and can be seen with reference to whether or not the obligation has been satisfied.

A certain judgment dated December 15th, 1902, in favor of C. T. King & Son vs. John Butler et als, for \$47.45, with interest from July 11th, 1899, and \$2.30 costs, which shows it to have been assigned to Hattie L. Butler for value received.

(Judgment Docket #3, page #22.)

A Judgment bearing date December 28th, 1901, in favor of E. L. Fofk & Company vs. John Butler, for the sum of \$6.00, with interest from June 16th, 1897, until paid, and \$1.30 costs.

(Judgment Docket #3, page #23.)

A Judgment dated April 9th, 1909, in favor of K. E. Barrett & Company against John and Elimira Butler, for the sum of \$239.52, with costs and interest not mentioned; the same was docketed May 10th, 1909.

(Judgment Docket #3, page #106.)

A Judgment dated April 24th, 1909, in favor of C. W. Bailey & Company vs. John Butler, for \$4.75, with interest from April 24th, 1907, until paid, and \$1.80 costs, which was docketed September 4th, 1909.

(Judgment Docket #3, page #110.)

There are delinquent taxes against the property mentioned in the bill for the year 1926, amounting to \$29.53, with interest on same from June 15th, 1927, until paid, together with a Clerk's fee of 50¢ due the Clerk of Court when paid. Your Commissioner is not advised as to whether 1927 taxes have been paid or not, but does not believe that they have been.

Sixth: Whether all the proper parties in interest are before the Court?

A: Your Commissioner begs lieve to report that all of the proper parties in question are properly before the Court.

Seventh: Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest?

A: Your Commissioner begs lieve to report that nothing further was requested to be stated by any party in interest, nor has your Commissioner anything further to report than as above stated.

Respectfully submitted.

R. A. Edwards.
Commissioner in Chancery.

Commissioner's Fee \$ _____

LOUIS T. BRIGGS, BEING DULY SWORN, DEPOSES AND SAYS AS FOLLOWS:

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

A: Louis T. Briggs; 49 years of age. I live in Isle of Wight County about two miles from Windsor, and am a farmer.

Q: Are you familiar with the tract of land owned by John Butler at the time of his death; if so, state where it is located?

A: Yes, I am familiar with the tract of land; it is located in Newport District, Isle of Wight County, near Mr. R. J. Edwards, and about three or four miles from Isle of Wight Courthouse.

Q: Are you the Louis T. Briggs who has instituted a suit in the Circuit Court of Isle of Wight County for partition of the property you have just described?

A: Yes, I am the same Louis T. Briggs. I married one of John

Butler's daughters whose name was Fannie Butler, and who died on

the 5th day of January, six years last month, and who left two

children by said marriage, namely: Rebecca L. Briggs and Mary L.

Briggs for whom I was appointed guardian on the 14th day of November, 1927, by the Clerk of the Circuit Court of Isle of Wight County.

Q: Do you know all of the heirs of John Butler, deceased, and whether or not they are of age and their places of residence at this time? If so, please so state.

A: Yes, I know all of the heirs of John Butler, and have known them for a number of years. The wife of John Butler died about five years ago, and he had at the time of his death, the following children who are still living, namely: Mary Allen Magee, who is of age, and whose post-office address I do not at this time know. Selma Bailey, who is of age and residing in the City of Baltimore, Md. John Lee Butler, who is also of age and residing in Baltimore, Md. Arnett Butler who is of age and living in Baltimore, Md. Edith Butler who is of ^{the} age of eighteen years, is also residing in Baltimore, Md., and residing as I understand, with her sister, Selma Bailey. Rebecca L. Briggs and Mary L. Briggs of the ages of nine and seven years, respectively: The children of Fannie Briggs who was Butler and myself, who are

residing with me in this County. The children and grand-children above mentioned, are all of the heirs of John Butler, deceased.

Q: Do you know whether or not all of the proper parties who have an interest in the John Butler land are properly before the Court?

A: Yes, I am sure that they are all properly before the Court, and those mentioned by me are all there are.

Q: Do you know whether or not any one or more of the children of John Butler would be willing to take the land in question and pay the others their interest therein?

A: I do not think that any of them are particularly interested, as they have been notified of the suit brought for partition or sale of this property and have not appeared in person or by letter.

Q: What is the present condition of the property in question?

A: The property is not being occupied by any one, nor has it been for a couple of years or more; therefore, it is coming down, and, naturally, growing less valuable each year.

J. W. Hall, being duly sworn deposes and says as follows:

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

A: J. H. Hall; 54 years old; live near Isle of Wight Court-house and am a farmer.

Q: Mr. Hall, a Bill in Chancery has been filed in the Circuit Court of this County by Louis T. Briggs, Guardian, against Mary Allen Magee and others, for the purpose of petitioning the land of one, John Butler, died siezed and possessed. How long have you known this tract of land, Mr. Hall?

A: Ever since I knew anything- was born in 1/2 mile of it. Have lived within sight of it all my life.

Q: From the evidence of Louis T. Briggs, and from the bill also, it appears that John Butler has six living children as well as two grand-children; the children of the dead daughter. In your opinion, would it be possible to make equal division of this land among the several parties entitled to share in it?

A: I donot believe it would be possible, due to the fact that it is a small tract, and some parts of the land is much more valuable than other parts.

Q: Mr.Hall, did you know the children of John Butler?

A: Yes sir; I knew them all.

Q: What were their names.

A: Mary, Selena, John Lee, Arnett, King, and Edith Butler, and the one that married Louis Briggs- Fannie.

Q: Mr.Hall, do you know whether or not any one of the Butler children is willing to take the entire property of John Butler, deceased, and pay therefor to the other parties such sums of money as their interest may entitle them to?

A: No, I do not, and furthermore, I have not seen any of them for two years or more, as they have moved away from the county.

Q: If the same cannot be conveniently divided in kind, and no one of the parties will take the entire property and pay the others for their shares, do you think the interest of those who are entitled to the said property will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue?

A: I believe it will be to the advantage of all of the parties interested, to make sale of the entire property and divide the proceeds among those entitled to the same.

Q: Mr. Hall, what do you consider a fair annual value for this property?

A: I believe around \$75.00 will be a fair annual value.

Q: What do you consider to be a fair fee simple value?

A: I believe the property will sell for around \$800.00. It has 18 or 20 acres of open land, and the buildings are in a very run-down condition; with practically no out-buildings at all.

Q: Mr. Hall, have you been upon this property recently, and if so, did you observe any timber trees growing thereen?

A: Yes, I was on the property today, for the purpose of looking it over before testifying, and there are no timber trees on the land worth mentioning; it was cut by the Surry Lumber Company within the last two years.

AND, Further, this Deponent sayeth not.

F. L. Wilson, being duly sworn, deposes and says as follows:

Q: Please state your name, age, occupation and residence?

A: F. L. Wilson, 46 years old, residing at Isle of Wight Courthouse and a farmer.

Q: Please state whether or not you are familiar with the tract of land of which John Butler died seized and possessed, if so, where is same located?

A: Yes, I am familiar with it, and have known it for 15 or 20 years, and it is located about $3\frac{1}{2}$ or 4 miles southeast of Isle of Wight Courthouse, in Newport District, and adjoins the land of E. W. Laine, and others.

Q: Have you seen, or been on this property recently?

A: Yes, I was on the land today for the purpose of viewing same before testifying as to its value, etc.

Q: Mr. Wilson, you have heard Mr. Hall, who has just testified with reference to the condition of this land, and whether or not he thought it possible to divide the same equally among the parties entitled to same. Do you agree with him in statements he made?

A: Yes, I heard his testimony and fully agree with same.

Q: What, in your opinion, is the annual value of this land?

A: About \$75.00, I think.

Q: What do you consider the fee simple value of this contract?

A: I think the land worth from \$800. to \$900. There is no timber upon the same, and the buildings thereon are in very bad condition.

Q: Is there anyone living upon this land at this time?

A: No one at all, nor has there been any one for the last year or two.

AND FURTHER, this Deponent sayeth not.

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

LEWIS T. BRIGGS, GUARDIAN, etc.

vs.

MARY ALLEN MAGEE ET ALS.

.....

R E P O R T

.....

Filed this 5th day of
November, 1928.

B. D. W.

Judge.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian, etc.

vs.

MARY ALLEN MAGEE et als.

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

The undersigned, who was appointed Special Commissioner by decree entered in this cause on the 16th day of February, 1928, begs to report to the Court that, in pursuance of said decree, he did, after having advertised the time, place and terms of sale, strictly in accordance with said decree, offer for sale, at public auction, on the 5th day of March, 1928, at twelve o'clock M., in front of the Courthouse of Isle of Wight County, Virginia, the following property, to-wit:

"All that certain piece or parcel of land situated in the County of Isle of Wight and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

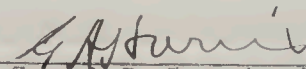
Although it was the first day of the March term of court and there were a great many people present, no offer whatsoever was made for the property.

Your Special Commissioner begs to report to the Court that since the property was offered as aforesaid, he has received a private offer of \$1000.00 for said property from John Lee Butler and Arnett Butler, which offer, in writing, is hereto attached, marked "Exhibit A".

Your Special Commissioner further reports to the Court that a petition signed by King S. Butler, Edith Holloway and Selena Bailey, (they being three of the heirs of the late John Butler) is attached hereto, marked "Exhibit B", in which petition they consent to the sale of the property for the price mentioned.

Your Special Commissioner, after having investigated the value of the farm, is of the opinion that it will be to the best interest of all parties concerned to accept the private offer, made by the said John Lee Butler and Arnett Butler, of \$1000.00, and therefore recommends that same be accepted.

Respectfully submitted this 1st day of November,
1928.


Special Commissioner.

VIRGINIA:

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

Briggs Infants.....Plaintiffs

VS) IN CHANCERY.

Butler et al Defendants.

oooOooo

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

We, the undersigned John Lee Butler and Ornett
Butler, do hereby offer to buy the lands of which John
Butler, died, seized and possessed for the sum of ONE
THOUSAND (\$1,000.00) DOLLARS; the proceeds of the same
to be divided in seven (7) parts after the payment of
Court expenses.

Very respectfully submitted,

✓ John Lee Butler
✓ Ornett Butler

VIRGINIA:

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

ooo0ooo

Briggs infants....., Plaintiffs

VS: IN CHANCERY.

Butler et al....., Defendants.

ooo0ooo

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

We, the undersigned heirs at law of John Butler, deceased, do hereby state to the Court that we know of the offer of ONE THOUSAND (\$1,000.00) DOLLARS, made for the lands os which John Butler, died, seized and possessed, the said offer being made by Ornett Butler and John Lee Butler; and believing that the same is a fair price for the said lands, we hereby petition the Court to accept the said offer of ONE THOUSAND (\$1,000.00) DOLLARS for the said land. It being understood that the proceeds from the sale of the said land is to be divided in seven (7) parts after the payment of Court expenses; and the said John Lee Butler is to file no claims for any bills that he may have paid against the estate of the said John Butler, deceased.

And your petitioners will ever pray etc.

✓ King. S. Butler
✓ Edith Hallaway
✓ Selena Bailey

ISLE OF WIGHT, VA.,

1 / 24

1929

Mr. S. G. Harris, atty.

Buggs Guardian vs Mary Allen Magel.

To **R. A. EDWARDS** Dr.

CLERK OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY

COMMISSIONER IN CHANCERY

PROMPT SETTLEMENT OF ACCOUNTS RENDERED INSURES PROMPT ATTENTION TO FUTURE WORK

To writ-tax
To taxed atty's fee
To clerk's charge

1.50

15.00

11.00

Paid.

1/25/29

R. A. Edwards

\$ 27.50

Tax atty deducted \$ 6.60

RECEIVED this 1st day of ~~November~~^{December}, 1928, of G. A. Harris,
Special Commissioner, the sum of \$15.00, representing my
fee as Commissioner in the suit of Lewis T. Briggs,
Guardian, vs. Mary Allen Magee et als.

Jan. 24-29.

R. A. Edwards.
Com. in ch.

RECEIVED this ^{23rd} day of ~~XXXXXX~~ ^{January}, 1929, of G. A. Harris,
Special Commissioner, the sum of \$10.00, for fee as
guardian ad litem in the suit of Lewis T. Briggs vs.
Mary Allen Magee et als.

Wm D Holland —

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

WRITES BONDS OF ALL KINDS

R. A. EDWARDS, AGENT,

✱

ISLE OF WIGHT, VA.

BOND NUMBER

DATE DUE

PREMIUM DUE

Feb. 16-1928 \$ *10 00*

Annual Premium Notice.
Principle

B. G. Harris, atty.

Supper Va

Notice is hereby given that the annual premium, for the ensuing year, is due and payable on or before date covering this bond in the penalty \$ *2000.00*, on your behalf as *Special*

James Harrison McEwen

Prompt payment will be appreciated. REMEMBER PREMIUMS CONTINUE TO ACCUMULATE UNTIL BOND IS ORDERED CANCELED.

Received Payment *1/24/29*

R. A. Edwards AGENT

10823
711

10823

10823

761

7576153

RECEIVED this 1st day of ^{December}~~November~~, 1928, of G. A. Harris,
Special Commissioner, the sum of \$10.00 for drawing
Special Commissioner's deed in the suit of Lewis T.
Briggs, Guardian vs. Mary Allen Magee et als.

G. A. Harris

STATEMENT

Smithfield, Va., Dec. 30, 1927

M

G. C. HarrisCase of Briggs vs. Hoppe, Bailly, etc

IN ACCOUNT WITH

The Smithfield Times

Dec.	2	7" Order Pmt. @ 50	3 50	
	9	7 " "	3 50	
	16	7 " "	3 50	
	23	7 " "	3 50	
				\$ 14 00

[Signature]
[Signature]
 P.O. 6.

SMITHFIELD TIMES
 PER *[Signature]*

Jan 26, 1929

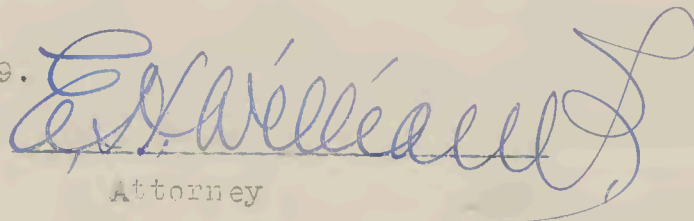
$$\begin{array}{r}
 21.00 - \\
 18.00 \\
 \hline
 39.00 -
 \end{array}
 \qquad
 \begin{array}{r}
 17 \\
 85 - 3 \\
 \hline
 82 - 5 - \\
 136 \\
 14.45 -
 \end{array}$$

21.00 -

$$\begin{array}{r}
 2 \overline{) 124.81} \\
 \underline{62.41}
 \end{array}$$

Received of G. A. Harris, Special Commissioner
in the suit of Louis T. Briggs, guardian etc. vs
Mary Allen Magee the sum of one hundred eighteen
dollars and fifty-three cents (\$118.53) for each of the
following parties, the said amount representing their
distributive share in the above styled suit, namely,
Mary Allen Magee, Selena Bailey, John Lee Butler,
Arnett Butler, King S. Butler and Edith Holloway.

Dated January 1, 1929.


Attorney

RECEIVED this 1st day of ~~November~~ ^{December}, 1928, of G. A. Harris,
Special Commissioner, the sum of \$25.00, as attorney's
fee for conducting the suit of Lewis T. Briggs, Guardian,
vs. Mary Allen Magee et als.

G. A. Harris atty

\$76.96 RECEIVED this 1st day of January, 1929, of G. A. Harris, Special Commissioner in the suit of Lewis T. Briggs, Guardian, etc., vs. Mary Allen McGee, the sum of Seventy Six Dollars and Ninety Six Cents (\$76.96), representing my curtesy in the interest of my wife, the late Fannie Butler Briggs.

Lewis T Briggs

\$41.58 RECEIVED this 1st day of January, 1929, of G. A. Harris, Special Commissioner in the suit of Lewis T. Briggs, Guardian, etc., vs. Mary Allen McGee, the sum of Forty One Dollars and Fifty Eight Cents (\$41.58), representing the interest of Rebecca L. Briggs and Mary L. Briggs in the proceeds from the sale of the land described in the above styled suit.

Rebecca L. Mary A. Briggs
Lewis T. Briggs

NOTICE OF SALE OF REAL ESTATE
SITUATED IN ISLE OF WIGHT
COUNTY, VIRGINIA.

In pursuance of a decree entered in the suit of Lewis T. Briggs, guardian, etc., vs. Mary Allen Magee, and others, on the 16th day of February, 1928, by the Circuit Court of Isle of Wight County, I shall offer, at public auction, in front of the Courthouse, in Isle of Wight County, Virginia, on the 5th day of March, 1928, at 12 o'clock m., upon the terms of cash, the following real estate, to-wit:

"All that certain piece or parcel of land situated in the County of Isle of Wight and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the north by the lands of R. J. Edwards, on the south by the lands of Wm. N. Gray, on the west by the lands of W. N. Price, and on the east by the lands of Henderson Jones."

Given under my hand this 17th day of February, 1928.

G. A. HARRIS,
Special Commissioner.

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT:

I, R. A. Edwards, Clerk of the Circuit Court of Isle of Wight County, Virginia, do certify that G. A. Harris, special commissioner, has executed a bond, with surety approved by me, in compliance with the decree entered by the Circuit Court of Isle of Wight County, on the 16th day of February, 1928, in the suit of Lewis T. Briggs, guardian, etc., vs. Mary Allen Magee, et als.

Given under my hand this 17th day of February, 1928.

R. A. EDWARDS,
fe18,22,mh3-3t Clerk.

Folio

192

From

TO

Feb 18. 22 -
March 3 -

Norfolk, Va.,

March 12 1928

M

B. A. Harris

Special Com.

To Virginian and Pilot Publishing Company, Dr.

ADVERTISING

Suit of Lewis & Briggs
Vs. Magre et al
4 1/2 in 3 ts ad

8 78

Received Payment, VIRGINIAN AND PILOT PUBLISHING CO.

Per

Harry K. Munn

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian, etc.

vs.

MARY ALLEN MAGEE et als.

THIS CAUSE ^{this day filed} came on again ~~to be~~ heard on the papers formerly read and upon the report of G. A. Harris, who was appointed Special Commissioner in this cause on the 16th day of February, 1928, which report bears date the 28th day of January, 1929, and this day filed, to which report no exception has been taken; and was argued by counsel.

On consideration whereof, it appearing to the Court that the said G. A. Harris, Special Commissioner, has disbursed all funds in his hands arising from the sale of the property described in the bill in these proceedings, and has taken proper receipts therefor, ^{that his receipts and disbursements} ~~from the following persons, to-~~
 are as follows:
wit:

To purchase money of property in hands of Special Commissioner.....	\$1000.00
--	-----------

By amount paid R. A. Edwards, Clerk, for court costs.....	\$ 27.50
--	----------

By amount paid R. A. Edwards, Commissioner.....	15.00
--	-------

By amount paid W. S. Holland, Guardian ad litem.....	10.00
---	-------

By amount paid G. A. Harris, Special Commissioner's fee.....	50.00
---	-------

By amount paid R. A. Edwards, Agent, for premium on bond.....	10.00
--	-------

By amount paid G. A. Harris, for drawing Special Commis- sioner's deed.....	10.00
---	-------

By amount paid G. A. Harris, Atty., for conducting suit.....	25.00
---	-------

By amount paid Smithfield Times for order of publication.....	14.00
--	-------

By amount paid Virginian-Pilot
for advertising property..... 8.78

By amount paid Mary Allen Magee,
representing her 1/7th interest.....118.53

By amount paid Selena Bailey,
representing her 1/7th interest.....118.53

By amount paid John Lee Butler,
representing his 1/7th interest.....118.53

By amount paid Arnett Butler,
representing her 1/7th interest.....118.53

By amount paid King S. Butler,
representing his 1/7th interest.....118.53

By amount paid Edith Holloway,
representing her 1/7th interest.....118.53

By amount paid Lewis Briggs,
representing his curtesy in the
interest of his wife, Fannie
Butler Briggs..... 76.96

By amount paid Lewis Briggs,
father of Rebecca L. Briggs and
Mary L. Briggs, representing
their 1/14th interest to be used
by the said Lewis Briggs for
their maintenance and support.....41.58

\$1000.00

\$1000.00

It is, therefore, ordered and decreed that the report
of the said Special Commissioner be, and it is hereby, approved
and confirmed.

Nothing further appearing to be done in this cause,
it is ordered that same be stricken from the docket.

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

LEWIS T. BRIGGS, GUARDIAN,

vs.

MARY ALLEN MAGEE ET ALS.

.....

D E C R E E

.....

Entered this *5th* day of *March*
~~February~~, 1929.

B.D.W.

Judge.

8-494

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian, etc.

vs.

MARY ALLEN MAGEE et als.

THIS CAUSE came on again to be heard on the papers formerly read and upon the report of G. A. Harris, who was appointed Special Commissioner in this cause on the 16th day of February, 1928, which report bears date the 1st day of November, 1928, and this day filed, to which report no exception has been taken; and was argued by counsel.

It appearing to the Court that the said Special Commissioner did, on the 5th day of March, 1928, offer for sale at public auction, in front of the courthouse of Isle of Wight County, Virginia, the following property, to-wit:

"All that certain piece or parcel of land situated in the County of Isle of Wight and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones,"

without receiving any offer therefor; and,

It further appearing to the Court that since said property was offered at public auction, John Lee Butler and Arnet Butler have offered the sum of \$1000.00 for said property; and,

It further appearing to the Court from said Special Commissioner's report, and the evidence produced before R. A. Edwards, Commissioner in this cause, that

\$1000.00 is a fair offer for said property;

ON CONSIDERATION WHEREOF, the said Special Commissioner's report is approved and confirmed.

It is therefore adjudged, ordered and decreed that the said offer of \$1000.00 be, and it is hereby, accepted, And the said G. A. Harris, Special Commissioner, is authorized and directed to execute a deed of conveyance, with Special Warranty of title, of the property herein described, to John Lee Butler and Arnett Butler, upon the payment to him of the said sum of \$1000.00.

The Special Commissioner is further directed to pay, out of the sum of \$1000.00 to be paid by the said John Lee Butler and Arnett Butler, first, the cost of this suit, as follows, to-wit:

R. A. Edwards, Clerk.....	\$27.50	
R. A. Edwards, Commissioner.....	15.00	
W. S. Holland, Guardian ad Litem.....	10.00	
G. A. Harris, Special Com- missioner's fee.....	50.00	
G. A. Harris, attorney, for conducting this suit.....	25.00	
R. A. Edwards, Agent, for premium on Commissioner's bond.....	10.00	
G. A. Harris, for drawing Special Commissioner's deed.....	10.00	
Smithfield Times, for adver- tising the property.....	14.00	
, Virginian and Pilot Publish- ing Co. for advertising the property.....	8.78	\$170.28;

and that the balance of the money in the hands of said G. A. Harris, Special Commissioner, should be distributed as follows, to-wit:

To amount in hands of Special Commissioner.....	\$829.72	
By amount paid Mary Allen Magee, representing her 1/7th interest.....		\$118.53
By amount paid Selena Bailey representing her 1/7th interest....		118.53
By amount paid John Lee Butler, representing his 1/7th interest....		118.53
By amount paid Arnett Butler, representing her 1/7th interest....		118.53
By amount paid King S. Butler, representing his 1/7th interest....		118.53
By amount paid Edith Holloway, representing her 1/7th interest....		118.53
By amount paid Lewis Briggs, representing his curtesy in the interest of his wife, Fannie Butler Briggs.....		76.96
By amount paid Lewis Briggs, father of Rebecca L. Briggs and Mary L. Briggs, representing their 1/14th interest, to be used by the said Lewis Briggs for their maintenance and support.....		41.58
	<u>\$829.72</u>	<u>\$829.72</u>

And the said Special Commissioner shall report
to Court.

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

LEWIS T. BRIGGS, GUARDIAN,

vs.

MARY ALLEN MAGEE ET ALS.

.....
D E C R E E
.....

Entered this 5th day of November,
1928.

B. B. B.
Judge.

8-472

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian of
Rebecca L. Briggs and Mary L.
Briggs.....COMPLAINANT

vs. 519.

MARY ALLEN MAGEE et als.....DEFENDANTS

This cause came on again to be heard on the papers formerly read, on the report of R. A. Edwards, Commissioner, and the depositions of witnesses, which said report bears date the 7th day of February, 1928, and also filed the 7th day of February, 1928, to which report no exception has been taken, and was argued by counsel.

On consideration whereof, and it being shown to the Court that the real estate described in the bill in these proceedings, a partition of which is sought, is owned in fee-simple by the parties to this suit as follows:

Mary Allen Magee, 1/7th interest; Selena Bailey, 1/7th interest; John Lee Butler, 1/7th interest; Arnett Butler, 1/7th interest; King S. Butler, 1/7th interest; Edith Butler, 1/7th interest; Rebecca L. Briggs and Mary L. Briggs, 1/14th interest, each, subject to the curtesy interest of their father, Lewis T. Briggs.

And it appearing that the complainants have a clear right to demand a partition of the land as prayed for in said bill, and it being shown to the satisfaction of the Court that no one of the said parties is willing to accept an allotment at a fair value of said land, and that partition in kind of said real estate cannot be had among the several parties entitled thereto, the Court is, therefore, of opinion and doth decide that it is to the advantage of said parties to decree a sale of said land in order to effect a partition thereof, and doth so adjudge, order and decree.

It is ordered that G. A. Harris, who is hereby appointed Special Commissioner for the purpose, do proceed, after having advertised the time, place and terms of sale, by posting notices thereof in five (5) conspicuous places in Isle of Wight County, Virginia, one of which shall be at the front door of the Courthouse, and by publication in some newspaper having a general circulation in Isle of Wight County, Virginia, for at least three (3) times, the first of said publications to be made at least ten (10) days before sale, to sell, at public auction, in front of the courthouse thereof, upon the terms of cash, the real estate described in the bill in these proceedings, which real estate is described as follows:

"All that certain piece or parcel of land situated in the County of Isle of Wight and State of Virginia, containing by estimation 63 acres, be the same more or less, but it is expressly understood that this land is sold by the tract regardless of the number of acres, and is bounded and described as follows, to-wit: On the North by the lands of R. J. Edwards, on the South by the lands of Wm. N. Gray, on the West by the lands of W. N. Price, and on the East by the lands of Henderson Jones."

But the said Special Commissioner shall have no authority to act hereunder until he shall have given bond in the penalty of \$2000-, and conditioned as the law directs.

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

LEWIS. T. BRIGGS, Guardian,

vs. 519

MARY ALLEN MAGLE et als.

.....
D E C R E E
.....

Re Consent to this decree
G. A. Harris p. q.
William S. Holland
guardian ad litem for
Edith Butler, Rebecca L. Briggs
and Mary L. Briggs—

Entered 16th day of February,
1928.

For L. M. G. Moore

Judge.

C. O. B. 8-pg. 434

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, GUARDIAN OF
REBECCA L. BRIGGS AND MARY L.
BRIGGS.....COMPLAINANT

vs.

MARY ALLEN MAGEE, SELENA BAILEY,
JOHN LEE BUTLER, ARNETT BUTLER,
KING S. BUTLER, EDITH BUTLER,
REBECCA L. BRIGGS and MARY L.
BRIGGS, the last three being
infants under twenty one years
of age.....DEFENDANTS

This cause came on this day to be heard upon the complainant's bill, which has been regularly filed at rules and taken for confession, upon the joint and separate answer of William S. Holland, guardian ad litem of the infant defendants, and upon the answer of Edith Butler, Rebecca L. Briggs and Mary L. Briggs by William S. Holland, their guardian ad litem, to which several answers the complainant replied generally.

And it appearing to the Court that the adult defendants, Mary Allen Magee, Selena Bailey, John Lee Butler, Arnett Butler, and King S. Butler, have been regularly proceeded against as non-residents, ^{by order of publication as required by law} which defendants have failed to answer, plead or demur;

On consideration whereof, it is adjudged, ordered and decreed that this cause be referred to one of the commissioners of this Court, who is directed to inquire and report to the Court as follows:

(1) Whether the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein.

(2) If the same can not be conveniently divided in kind, 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.

(3). And, if the same can not be conveniently divided in kind and no party will take the entire property and pay the others for their shares, whether the interest of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property or by the allotment of part and sale of the residue.

(4). The fee simple and annual value of said land.

(5). Whether or not there are any delinquent taxes or other liens against the said land.

(6). Whether all the proper parties in interest are before the Court.

(7). And any other matter deemed pertinent by the commissioner or required to be stated by any party in interest.

#519 8

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

LEWIS T. BRIGGS, GUARDIAN, etc.

vs.

MARY ALLEN MAGEE et als.

.....

DECREE OF REFERENCE

We Consent to this
decree

G. H. Briggs p. q

William S. Halland
guardian ad litem
for Edith Butler, Rebecca
L. Briggs and Mary L.
Briggs - infants defendants,

Enter Jan'y 31. 1928.
Jas. S. McInnere

B#8-p 433.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian, etc.

vs.

MARY ALLEN MAGEE et als.

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

The undersigned, who was appointed Special Commissioner in this cause on the 16th day of February, 1928, begs to report to the Court that, in pursuance of a decree entered in this cause on the 5th day of November, 1928, he has disbursed the funds in his hands and has taken receipts therefor, as follows, to-wit:

To purchase money of property in hands of Special Commissioner.....	\$1000.00
By amount paid R. A. Edwards, Clerk, for court costs.....	\$ 27.50 ✓
By amount paid R. A. Edwards, Commissioner.....	15.00 ✓
By amount paid W. S. Holland, Guardian at Litem.....	10.00 ✓
By amount paid G. A. Harris, Special Commissioner's fee.....	50.00
By amount paid R. A. Edwards, Agent, for premium on bond.....	10.00 ✓
By amount paid G. A. Harris, for drawing Special Commissioner's deed.....	10.00 ✓
By amount paid Smithfield Times for order of publication.....	14.00
By amount paid Virginian-Pilot, for advertising property.....	8.78 ✓
By amount paid Mary Allen Magee, representing her 1/7th interest.....	118.53 ✓
By amount paid Selena Bailey, representing her 1/7th interest.....	118.53 ✓

By amount paid G. A. Harris,
Atty., for conducting suit..... 25.00✓

By amount paid John Lee Butler,
representing his 1/7th interest.....\$118.53✓

By amount paid Arnett Butler,
representing her 1/7th interest..... 118.53✓

By amount paid King S. Butler,
representing his 1/7th interest..... 118.53✓

By amount paid Edith Holloway,
representing her 1/7th interest..... 118.53✓

By amount paid Lewis Briggs,
representing his curtesy in the
interest of his wife, Fannie
Butler Briggs..... 76.96✓

By amount paid Lewis Briggs,
father of Rebecca L. Briggs and
Mary L. Briggs, representing
their 1/14th interest to be used
by the said Lewis Briggs for
their maintenance and support..... 41.58

\$1000.00 \$1000.00

Nothing further appearing to be done in this cause,
your Special Commissioner would recommend that this suit be
dismissed from the docket.

Respectfully submitted this 28th day of January, 1929.

W. H. Harris
Special Commissioner.

VIRGINIA:

IN THE CIRCUIT COURT OF
ISLE OF WIGHT COUNTY.

LEWIS T. BRIGGS, Guardian,

vs.

MARY ALLEN MAGEE et als.

.....

Report

.....

Filed this *5th* day of
Mar.
~~February~~, 1929.

Judge.

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

I, R. A. Edwards, Clerk of the Circuit Court of the County
of Isle Of Wight, do hereby certify that on the 14th day
of November, 1927, Lewis T. Briggs, duly qualified
Guardian of Mary Alice Briggs, age 7 years, and Rebecca Lee
in my said Court as Briggs, age 9 years, infant children of Fannie Butler Briggs,
deceased, and gave bond as such, according to law.

Given under my hand, this 14th day of November, 1927.

"EXHIBIT A"

R. A. Edwards, Clerk.

Form No. 312

CERTIFICATE OF CLERK OF
QUALIFICATION

of

.....

.....

as

of

Entered in O. B. P.

VIRGINIA: IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE COUNTY
OF ISLE OF WIGHT, Nov. 26-1927

LEWIS T. BRIGGS, Guardian of
Rebecca L. Briggs and Mary L.
Briggs,

Complainants

vs

Mary Allen Magee, Selena Bailey,
John Lee Butler, Arnett Butler,
King S. Butler, Edith Butler,
Rebecca L. Briggs and Mary L.
Briggs, the last three being
infants under twenty-one years
of age,

Defendants.

APPOINTMENT OF GUARDIAN
Ad Litem.

Upon motion of counsel for the plaintiffs, William
S. Holland, a discreet and competent attorney-at-law, practising
in this Court, is assigned to the infant defendants Edith Butler,
Rebecca L. Briggs and Mary L. Briggs, to defend their interests
in this suit.

Teste:

R. A. Edwards.
Clerk.

LEWIS T. BRIGGS, Guardian,
etc

vs

MARY ALLEN MAGEE, et als.

APPOINTMENT OF GUARDIAN
Ad Litem.

November 26 1927.

No.

Know all Men by These Presents: That we G. A. Harris,

principal

and

Fidelity And 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

G. A. Harris

principal

and the said

Fidelity & 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

16th

day of

February

A. D. 1928.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound G. A. Harris, shall

faithfully discharge his duties as Special Commissioner under decree of the Circuit Court of the County of Isle Of Wight pronounced on the 16th day of February 1928, in the suit therein pending under the style of Lewis T. Briggs Guardian, Vs. Mary Allen McGhee et als, #_____, and shall account for and pay over as the Court may direct all money that may come into his hands as such Commissioner,

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

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

.....G. A. Harris,.....[SEAL]

.....Fidelity & Deposit Co. Of Md.

By.....R. A. Edwards, Power Atty.,.....

Its duly authorized agent and attorney in fact.

Attest:.....R. A. Edwards.....

Agent and attorney in fact.

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

day of February 1928, this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

.....R. A. Edwards.....Clerk.

A Copy Teste

R. A. Edwards

Clerk

Lewis J. Briggs Esq.

13 Chaney # 519

Mary Allen McShur Esq.

Copy of Bond.

Teste. N. A. Edwards.
cjh

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA
January 31, 1928.

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

Dear Sir:

In Re: Lewis T. Briggs, Guardian, etc.
vs.
Mary Allen Magee et als.

I am returning to you the papers in the above styled suit in which you will find the decree of reference which Judge McLemore has entered as of January 31st. There is no objection to this date being changed if there is no chance of your getting it on the books as of the 31st.

If it is possible for you to do so, I will thank you to execute the references contained in the decree sometime during the present week. I am to-day writing Lewis T. Briggs to call at your office that you may obtain from him such information as you desire in this matter. You will note that Lewis T. Briggs has brought suit as guardian of two of the infants who have an interest in the property. Briggs can furnish you with the information concerning whether or not all proper parties are before the Court, and probably can give you some idea as to the value of the property.

I will thank you to make an extra copy of your report and forward same to me when the original is filed.

Please call me over telephone, on reverse call, and advise me the date that you will execute the decree of reference. I will arrange to have Mr. Wm. S. Holland, the guardian ad litem, present, as required by law. I have just talked to him and he stated that almost any afternoon would be agreeable with him, if you could arrange to have the hearing at some definite hour.

Yours very truly,

G. A. Harris
1.

gah-1

G. A. HARRIS

ATTORNEY AND COUNSELLOR AT LAW

SUFFOLK, VIRGINIA

February 16, 1928.

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

Dear Sir:

In Re: Briggs vs. Magee

Enclosed please find decree of sale which was entered by Judge McLemore to-day in the above styled suit.

I am also enclosing you Special Commissioner's bond, which has been executed by ~~me~~.

I am also enclosing you five notices of sale which I will thank you to post in some conspicuous places in your county, one of which should be at the front door of the courthouse.

Thanking you in advance to give this your usual prompt attention, I am

Yours very truly,

G. A. Harris

gah-1

G. A. HARRIS

ATTORNEY AND COUNSELLOR AT LAW

SUFFOLK, VIRGINIA

January 23, 1929.

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

Dear Sir:

In Re: Briggs vs. Magee

I am pleased to hand you herewith
my check for \$37.50 covering the following items:

Clerk's fee	\$12.50
Commissioner	15.00
Premium on bond	10.00.

Will you please send me receipts covering these
items? Kindly include in your receipt for Court
costs \$15.00 tax attorney's fee, which has been
deducted from my remittance.

Yours very truly,

G. A. Harris
J.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA
January 29, 1929.

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

Dear Gus:

I hand you herewith final report and decree in the matter of Lewis T. Briggs vs. Mary Allen Magee. You will find attached receipts covering disbursements.

Will you please present the decree to Judge White the first time he is in Isle of Wight? I will thank you to advise me of the date the decree is entered that I may complete my office files.

I will also thank you to let me have check covering the deposit.

I take it that the check which I sent you a few days ago covered the cost of the final decree. You will no doubt recall when I discussed this matter with you over telephone that I told you to include the cost of the final report and decree.

In checking the receipts, I find that the Smithfield Times has not returned its receipt. I will forward you same as soon as it has been received.

Yours very truly,

G. A. Harris
L.

gah-1

G. A. HARRIS

ATTORNEY AND COUNSELLOR AT LAW

SUFFOLK, VIRGINIA

February 27, 1929.

Mr. R. A. Edwards, Clerk,
Smithfield, Virginia.

Dear Gus:

In Re: Briggs vs. Briggs

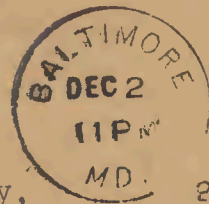
When I sent you the decree in the above
suit several days ago, you will recall that I did not
send the receipt from The Smithfield Times covering
the order of publication, but wrote you that same
would follow. I am enclosing the receipt herewith,
which I will thank you to attach with the other papers.

Yours very truly,



gah-1

AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VA.
R. A. EDWARDS, CLERK



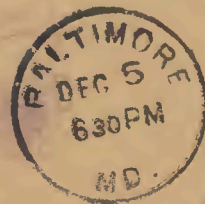
Selena Bailey,
Baltimore,
Maryland.

UNCLE
From Baltimore
Gen. Del. Jan 5
MD



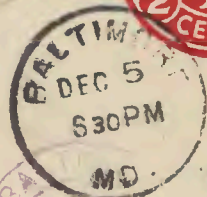
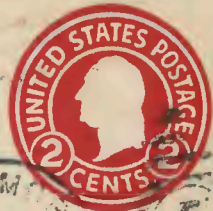
AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VA.
R. A. EDWARDS, CLERK

Annett Butler,
Baltimore,
Maryland.



After 5 days, return to
R. A. EDWARDS, Clerk,
Circuit Court, Isle of Wight Co.,
ISLE OF WIGHT, VA.

Edith Butler,
Baltimore,
Maryland.

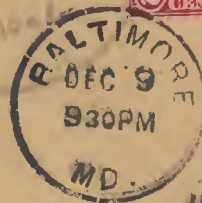


AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VA.
R. A. EDWARDS, CLERK



King S. Butler,
Baltimore,
Maryland.

Not for 2401
1819 n - Mount St



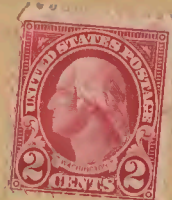
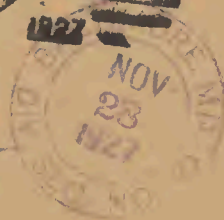
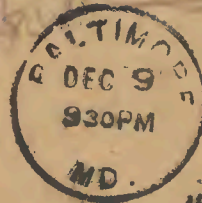
AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VA.
R. A. EDWARDS, CLERK



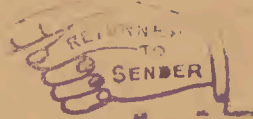
Not for 95/25
From BALTIMORE
John Lee Butler,

Baltimore,
Maryland.

ask 44-21 Dime St



AFTER FIVE DAYS RETURN TO
CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VA.
R. A. EDWARDS, CLERK



Mary Allen Magee,

~~Elmont,~~

Suffock —

Virginia.



