1902-017
Nansemond Co (Suffolk) Chancery Causes: R.A. Edwards, gdn vs Gracie Gay, infant et al

McClenney, Wills, Riddick, Powell, Saunders, Gray

$10.22

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards guardian of Gracie Kay vs Gracie Kay et als the sum of ten & 22/100 ———————— dollars for clerk's fees, including writ tax in said cause.

A. P. Gomey Clerk

Received of R. H. Rawles special commissioner in the chancery cause of $2.00
R. A. Edwards guardian of Gracie Gay vs Gracie Gay et als pending
in the Circuir court of Nansemond county the sum of Two ——
dollars for Sheriff's fees

A. W. Baker
Sheriff

in said cause.

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards guardian of Gracie Gay vs Gracie Gay et als pending in the circuit court of Nansemond county the sum of Six ($6.00) dollars, being $5.00 for crying out land at auction sale; and $1.00 ~~Dollars~~ for serving notices on witnesses in said cause.

John. J.S. Bronch by
R. H. Rawles atty

Established, 1873
Terms of this Bill NET CASH

Newspaper
Book & Job
Commercial
and Legal
Printing

First-class Printing of all kinds
& & promptly executed & &

SUFFOLK, VA., Sept. 24, 1902.

Mr. R. H. Rawles,
Special Commissioner.

To The Suffolk Herald, Dr.

BOOK AND JOB PRINTING

A full line of Legal Blanks in stock

No. 9 Washington Square

100 Bills Sale of Hickory Landing Tract,	1 00	
Publishing advertisement & Sale, 5½ in. 4t.	7 00	$8 00

Paid Oct. 10/1902
Suffolk Herald
per W. J. K.

$ 00 50

July 19 1902

Received of R H Rawlen atty

50/100 100 DOLLARS

for Posting bills for sale of land

of Isbael Ivy Hersey Woodward Jr.

No.

$10.

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards Guardian of Gracie Gay vs Gracie Gay et als pending in the circuit court of Nansemond county the sum of ten ($10.00) dollars for Services as Guardian ad litem rendered in said cause.

(allowed by Court)

John P. Lee
Guardian ad litem

$20.00

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards guardian of Gracie Gay vs Gracie Gay et als pending in the circuit court of Nansemond county the sum of Twenty (20) dollars in full of fee for Report made and filed in the above cause ~~dollars for in said cause~~.

10 Octo. 1902

Wilbur J. Kilby
Comr. in Chancery.

$1,00.

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards Guardian of Gracie Gay vs Gracie Gay et als pending in the circuit court of Nansemond county the sum of fifty cents each as witness fees for S. J. Saunders ~~dollars for~~ and F. N. Gray who testified before Commissioner in said cause.

F N Gray

$ 2.10

Received of R. H. Rawles special commissioner in the chancery cause of R. A. Edwards guardian of Gracie Gay vs Gracie Gay et als the sum of

Ten — 10/100 — dollars for

witness fee before Commissioner

in said cause.

R. A. Edwards

#1253:18

Received of R. H. Rawles special commissioner in the chancery cause now pending in the Circuit Court of Nansemond county under the style of R. A. Edwards guardian of Gracie Gay vs. Gracie Gay et als, the sum of twelve hundred and fifty three $\frac{18}{100}$ (1253;18) dollars in full payment of the sum due me as guardian of said Gracie Gay from the sale of the real estate known as "Hickory Landing" sold by decree in said cause. October 14th 1902.

R. A. Edwards
Guard for Gracie L. Gay.

Hon. A. P. Gomen Clerk of the Circuit Court of Maudamond County :—

R. A. Edwards Guardian of Gracie Gay.

vs

Gracie Gay, Nannie L. McClenny, Geo. T. McClenny, Mattie Wills and W. B. Wills.

In chancery.

Issue summons for plaintiff against defendants to second Monk rules 1902 (3rd Monday) to answer a Bill in chancery.

Tax $1.50

R. H. Rawles p.q.

Memo.

R. A. Edwards Edn

vs

Gracie Gayeton

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Gracie Gay, Nannie L. McClenny Geo T. McClenny Mattie Wills and W Bunch Wills

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1902, to answer a Bill in Chancery, exhibited against them in the said Court by R. A. Edwards Guardian of Gracie Gay

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 11th day of March, 1902, in the 126th year of the Commonwealth.

A copy—Teste:
A P Gomer, CLERK.

Teste:
A P Gomer, CLERK.

R N Rawles *p. q.*

~~R J Edwards~~

Gracie Gay

vs | *In Chancery.*

Infant

1902

March *Rules.*

Third *Monday.*

Nansemond Circuit Court.

Process Book No. 21

Page 222

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Gracie Gay, Nannie L. McClenny, Geo. T. McClenny, Mattie Wells and WB Wells

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1902, to answer a Bill in Chancery, exhibited against them in the said Court by R. A Edwards Guardian of Gracie Gay.

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 11th day of March, 1902, in the 126th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

A P Gomer, CLERK.

Executed this the 14th day of March 1902. by taking a true copy of the within process on the front door of the dwelling house of Nannie B. McClenny the not having found at her usual place of abode and after diligent enquiry made of persons in the neighborhood whom I reliable persons, one of whom is related to the said Nannie B. McClenny in which the said process is directed.

P. D. Berry Dep'ty
for A. A. Bobbitt Sh'ff

Executed this the 12th day of March 1902 by delivering a true copy of the Notice Writing hereto annexed to the within named Gracie Gaylor Walker and Thos. J. McClenny in Isham.

P. D. Berry Dep'ty
for A. A. Bobbitt Sh'ff

R. A. Rawles ..... p. q.

R. A. Edwards & c

vs. } In Chancery.

Gracie Gaylor Walker

1902

March ..... Rules.

Third ..... Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 222

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF ~~NANSEMOND~~ Isle of Wight COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Gracie Gay, Nannie L. McClenny, Geo. T. McClenny, Mattie Wells and W. B. Wells

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1902, to answer a Bill in Chancery, exhibited against them in the said Court by R. A. Edwards Guardian of Gracie Gay

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 11th day of March 1902 189—, in the 126th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

A. P. Gomer, CLERK.

R. A. Rawles p. q.

R. A. Edwards
Gdr & C

vs. } In Chancery.

Gracie Gaylothers

1902

March Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 222

2 hereby accept service of this
notice & waive all
irregularities in the issuing
thereof. Given under my hand
this 1st day of March 1902.
R. A. Edwards Atty for Pltff.

Virginia: At Rules held in the Clerk's
Office of the Circuit Court of Nansemond
county, on the 3rd Monday in March 1902.

R. A. Edwards Atty for Pltff.

vs.

Gracie Gaylothers

This day came the plaintiff by his attorney and
filed his bill in this cause, and it appearing by
affidavit that the defendant is not a resident of
this State, it is ordered that she do appear here
within fifteen days after due publication hereof,
and answer the bill of the plaintiff, or the same
will be taken for confessed, and set for hearing
ex parte as to her; and that a copy of this order
be published once a week for four successive
weeks in the Suffolk Herald, a newspaper
published in the city of Suffolk, Va., and
posted at the front door of the Court House
of this county on or before the first day of the
next term of this Court.

A Copy—Teste:

R. A. Edwards Clk.

Virginia ; Nansemond County to-wit ;

To John J. S. Branch Constable of said County.

You are hereby commnded in the name of the Commonwealth of Virginia to summon Edwin J. Matthews and Seloman J. Saunders to appear at the office of Wilbur J. Kilby commissioner in chancery in Suffolk Virginia at ten (10) o'clock A. M. on Saturday the 7th day of June 1902 to testify and the truth to say on behalf of R. A. Edwards guardian of Gracie Gay in the suit depending in the circuit court of Nansemond county wherein the said R. A. Edwards guardian of Gracie Gay is plaintiff and George T. McClenney and wife and others are defendants ; and this the said witnesses shall in no wise omit under penalty. Witness my hand this 30th day of May 1902.

R. H. Rawles

Notary PPublic.

R. A. Edwards Exr
vs
Geo. T. McClenny et al

Exhibit the within
Process by delivery
a copy of the within
and Edwin Joachim
and Solomon
J Sauerby in Person
May 31 1907
J. J. Branch
Constable

In the Chancery cause now pending in the Circuit court of Nansemond county under the style of "R. A. Edwards Guardian & vs. Gracie Gay et als" for the sale of the Hickory Landing tract of land belonging to the said Gracie Gay, I hereby authorize R. H. Rawles as my agent and attorney-in-fact, to sign my name to the Bill in the said cause. Witness my hand this 15 day of March 1902 .

Ro A. Edwards Guard.
fe.

R. A. Edwards Guardian of
Gracie Gay
vs.
Gracie Gay, Nannie L. McClenney et als

In the Circuit Court of Nansemond County the 17th day of March 1902: In Vacation.

On motion of the Complainants Counsel John P. Lee a discreet and competent attorney at law is assigned and appointed guardian ad litem for the infant defendant Gracie Gay and required to defend her interest in this cause.

A. P. Gomey clerk

Order
appointing Guardian
ad litem.

Know All Men by These Presents, That we, Richard A Rawles and J T Rawles

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Eighteen hundred DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 9th day of July in the year of our Lord one thousand ~~eight~~ nine hundred and two, and in the 127th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court for the County of Nansemond pronounced in Vacation on the 30th day of June 1902 in the Chancery Cause pending in said Court between R A Edwards Guardian &c Complainant and Gracie Gay &others defendants it was adjudged ordered and decreed that the lands mentioned and described in the bill in said cause be sold and that R A Rawles was appointed by said decree Special Commissioner for the purpose proceed to sell the same on the terms and Conditions named in said decree, Now therefore if the said R A Rawles shall faithfully discharge his duties under the said decree and all other decrees he may be required to execute in said cause then the above obligation is to be void, otherwise it is to remain in full force and effect.

R A Rawles SEAL
J T Rawles by SEAL
R A Rawles Attorney SEAL
in fact SEAL
SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 9th day of July 1902 ~~189~~.

The above bond was excented and aeknowledged ~~by the obligors (the suret____ justifying on oath as to____ sufficiency)~~ and recorded.

Teste: A D Gomey CLERK.

A Copy Teste: A D Gomey Clerk

R N Rawles

To Spec Comr Bond

The Commonwealth.

1902

July 9th

Recorded in Official Bond Book No 1 Page 271

A copy.

We hereby make constitute and appoint R. H. Rawles as our attorney at law as well as our attorney in fact, to represent us and our interest in the chancery cause of R. A. Edwards Guardian of Gracie Gay vs Gracie Gay and others now pending in the Circuit court of Nansemond county asking to be allowed to sell a part of the real estate of the said Gracie; and we hereby grant unto our said attorney the power to accept all notices intended for us in said suit, and to consent to any and all decrees that may hereafter be ~~obtained~~ entered in said cause, hereby giving unto the said R. H. Rawles full power in the premises to act and do for us and in our names all things which we might do if personally present and we hereby ratify and confirm all that he may properly do in said cause as our attorney. Witness our hands and seals this " 21st day Of April 1902 .

W. B. Wills (Seal)

Mrs W B Wills (Seal)

We hereby make constitute and appoint R. H. Rawles as our attorney at law as well as our attorney in fact to represent us and our interest in the chancery cause of R. A. Edwards Guardian of Gracie Gay vs. Gracie Gay and others now pending in the Circuit court of Nansemond county, asking to be allowed to sell a part of the real estate of the said Gracie; and we hereby grant unto our said attorney the power to accept all notices intended for us in said suit and to consent to any and all decrees that may hereafter be ~~ehtered~~ entered in said cause hereby giving unto the said R. H. Rawles full power in the premises to act and do for us and in our names all things which we might do if personally present, and we hereby ratify and confirm all that he may properly do in said cause as our attorney. Witness our hands and seals this " 21st day Of April 1902 .

N. G. McClenny (Seal)

Geo. I McClenny (Seal)

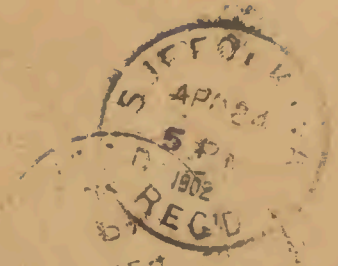
R. H. RAWLES,
ATTORNEY AT LAW AND NOTARY PUBLIC,
SUFFOLK, VA.

R. H. Rawles Esq

Attorney-at-Law

Suffolk

Va


SUFFOLK
APR 24
5 PM
1902
REGD

To the Hon. Robert R. Prentis Judge of the Circuit Court of
Nansemond County.

The undersigned special commissioner in the chancery cause of R. A. Edwards guardian of Gracie Gay vs. Gracie Gay et als, now pending in the circuit court of Nansemond County respectfully asks leave to make the following report of his transactions under the decree of August 26th 1902, entered in said cause.

Your commissioner reports that he has collected of T. J. Saunders who purchased the land at public auction, in the bill and proceedings mentioned, the sum of fourteen hundred ($1400) dollars, the whole of the purchase price for said land; that he has made to the said purchaser a deed for said land with the usual covenants of title; that he has paid all the costs and expenses of the said suit and sale; and that he has paid the remainder of the money over to Robert A. Edwards guardian of Gracie Gay, who duly gave bond before receiving said money as required by said decree of August 26th 1902, and your commissioner makes the following statement of the, collection and disbursements, and files vouchers herewith for all of said disbursements.

See statement of account on annexed page.

Respectfully submitted.

R. H. Rawles
Special Commissioner.

Oct. 1902.

Sold Hickory Landing Tract of Land to

T. J. Saunders Jr $1400.00

Paid out :-

A.P. Gowen Clerk Court & writ tax	10	22
A.H. Baker, Sheriff.	2	00
John J.S. Branch, Crier.	5	00
John J.S. Branch, Constable serving notice	1	00
Suffolk Herald advertising	8	00
Henry Woodward Jr. Posting notices		50
John P. Lee Guardian ad litem	10	00
Wilbur J. Kilby Commissioner	20	00
S. J. Saunders & F.H. Gray, witnesses	1	00
R.A. Edwards witness	2	10
R.H. Rawles commissions on $1400	37	00
R.H. Rawles deed to purchaser	5	00
R.H. Rawles attorney fixed fee	15	00
R.H. Rawles fee allowed by Court	30	00
Total costs and Expenses	$146	82
Paid R.A. Edwards Guardian of Gracie Gay. balance, of	1253	18
	$1400	00

Respectfully submitted

R.H. Rawles

Special Commr.

Vouchers filed

Report of
Disbursement.

1902 Oct 22 and Filed

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Nansemond county ;

The undersigned special commissioner, duly appointed by a decree dated the 30 day of June 1902, in the chancery cause of R. A. Edwards, guardian of Gracie Gay, vs. Gracie Gay et als pending in said court, and required to sell the tract of land mentioned in the bill in said cause, belonging to Gracie Gay, and known as the Hickory Landing tract, containing one hundred and twenty one acres more or less, respectfully begs leave to submit the following report of his transactions under said decree; Your commissioner after having given bond with security as required by said decree, and having duly advertised the said land and having in all other respects fully complied with all the terms and conditions of said decree, offered the said Hickory Landing tract of land for sale at public auction to the highest bidder before the court house door of this county, on Monday August the IIth 1902, that being court day, on the terms mentioned in said decree; at which sale the said land was struck off to T. J. Saunders, for the sum of fourten hundred ($1400) dollars, that being the highest bid for the same; the purchaser has paid $400, of the purchase money in cash, and expresses a desire to pay the remainder in cash as soon as the said sale is confirmed by the court. Your commissioner considers this a very fair price for the property, as the commissioner of court, to whom this cause was referred for accounts, reported after taking evidence, that in his opinoin the place was worth from $1000 to $1200. Your commissioner therefore respectfully asks that the court will confirm the said sale. All of which is respectfully submitted .

R. H. Rawles
Special Commissioner.

Report of Sale.

Filed Aug. 12th 1902.

Virginia,
Circuit Court for the County of Nansemond, to wit

R. A. Edwards, Guardian of Gracie Gay, Complainant

Against } In Chancery

Gracie Gay &als, Defendants

To Honorable Robert R. Prentis, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 15th. day of April 1902 in the cause in Chancery in said court depending between Robert A. Edwards, Guardian of Gracie Gay, Complainant, and Gracie Gay, Nannie L. McClenny and others, Defendants, the undersigned, Wilbur J. Kilby, Commissioner in Chancery of said Court respectfully reports as follows:

That on the 24th. day of May

1902, Your Commissioner gave notice in writing to the parties to said cause to the effect that on this 7th day of June 1902 he would proceed at his office in Suffolk, Virginia, to make the inquiries and take state and settle the accounts directed by said decree to be made, taken, stated and settled, and that at such time and place they were required to attend.

That sufficient and legal service of said notice was accepted by said parties as will appear by the endorsatiques on the copies of said notice herewith returned.

That Solomon J. Saunders, Frederick N. Gray and Robert A. Edwards were examined as witnesses touching said inquiries and accounts, in the presence of John P. Lee, guardian ad litem of the infant defendant, said Gracie Gay.

That the depositions of said witnesses are herewith returned as part of this Report.

That, having made said inquiries

and taken said accounts, Your Commissioner reports the results thereof as follows:

Account No. 1

An Account of the real and personal estate belonging to said infant, Gracie Gay, together with the annual and fee-simple values of said real estate.

Under this head Your Commissioner reports that said Gracie Gay is seised and possessed of the following real estate, to wit:

1. A tract of 121 acres, more or less, known as the Hickory Landing Tract, situated in Chuckatuck Magisterial District in Nansemond County and bounded by the lands of James A Harrell, Thos. W. Little and others and Western Branch of Nansemond River.

2. A tract of 103 1/8 acres, more or less, known as the Goodman Place, situated in Isle of Wight County and bounded by the lands of George W. Whitley's heirs, James J. Dyer's heirs

Sydney P. Ellis and others.

3. A tract of 23 3/8 acres, more or less, situated in Isle of Wight County and bounded by the dower land of Mattie M. Wills, and the land of Sydney P. Ellis and others.

4. An undivided one-half interest in said dower land subject to the life-right of said Mattie M. Wills, mother of said Gracie Gay. Such dower land being in said Isle of Wight County.

The fee-simple and annual values of said lands, except said dower land, are as follows:

Tract No. 1

Fee-simple value $1000 or $1200.
Annual value $67.

Tract No. 2

Fee-simple value $700 or $800
Annual value $75.

Tract No. 3

Fee-simple value $300
Annual value $30.

The like values of tract No. 4 are unknown to Your Commissioner, such tract is occupied by Mattie M. Wills, who

was Mattie M. Gay, as her dower in the lands of her former husband, the late George M. Gay, and she, of course, receives the rents and profits thereof.

The said Gracie Gay has no personal property except the rents above-mentioned amounting to the gross sum of $172.

Account No. 2

An Account of the liens on said real estate for delinquent taxes, or otherwise, if any, together with their amounts, dignities and priorities

Under this head Your Commissioner reports that there are no liens on said real estate for delinquent taxes or otherwise.

Account No. 3

An Account showing whether it would be proper and for the best interest of the said infant defendant to sell a part of her said real estate, to wit: the Hickory Landing Tract, together with all the facts calculated to show the propriety of such sale.

Under this head Your Commissioner reports that according to the testimony of the witnesses named above, (with whom Your Commissioner fully agrees), it would be proper and for the best interest of the said Gracie Gay to sell said Hickory Landing Tract of land and apply the proceeds of the sale for her benefit. The facts showing the propriety of such sale appear in said depositions.

Account No. 4

An Account showing whether the interest of the said infant defendant would be promoted by such sale and whether the rights of any other person would be violated thereby.

Under this head Your Commissioner, again referring to said depositions, reports that it is clearly shown thereby, independently of any admissions in the answers in said cause, that the interest of said Gracie Gay would be promoted by the sale of said Hickory Landing Tract of land and the investment of the proceeds of the sale for her use and benefit, or the application of such proceeds, or so much thereof as may be necessary, beyond her annual income therefrom, for her proper maintenance, education and other interests. The rights of no person would be violated by such sale and the disposition of said proceeds as stated. Your Com-

missioner's personal knowledge of said Gracie Gay's needs, enables him to agree with the witnesses, examined as stated above, in what they have said on this subject.

Account No. 5

An Account of any other matter deemed pertinent by myself or which may be required to be stated by any person in interest

Your Commissioner has nothing to report under this head.

Respectfully submitted this 7th. day of June 1902

Wilbur J. Kilby.
Commissioner in Chancery.

Comr's fee $20.00
Witnesses:
Solo. J. Saunders, witness. 50c
Fred. C. Gray " 50c
Rob. A. Edwards. " $2.10

To R. A. Edwards, Guardian of Gracie Gay, Complainant,

and Jannie L. McClenny and George T. McClenny, her husband, Mattie M. Wills and W. B. Wills, her husband, Gracie Gay, an infant under the age of twenty-one years, and John P. Lee, guardian ad litem for said Gracie Gay, Defendants.

You are hereby notified that on the 7th. day of June 1902, at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 15th. day of April 1902 in the suit in chancery pending in said Court to which you are parties plaintiff and defendants, to wit:

1. An Account of the real and personal estate belonging to said infant, Gracie Gay, together with the annual and fee-simple value of said real estate.
2. An Account of the liens on said real estate for delinquent taxes, or otherwise, if any, together with their amounts, dignities and priorities.
3. An Account showing whether it would be proper and for the best interest of said infant defendant to sell a part of her said real estate, to wit, the Hickory Landing tract, together with all the facts calculated to show the propriety of such sale.
4. An Account showing whether the interest of the said infant defendant would be promoted by such sale and whether the rights of any other person would be violated thereby.
5. An Account of any other matter deemed pertinent by myself or which may be required to be stated by any person in interest.

Given under my hand, as Commissioner in Chancery of said Court, this 24th day of May 1902.

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted by us

Nannie L Mahoney.

J. J. McElmurry

To R. A. Edwards, Guardian of Gracie Gay Complainant

and Nannie L. McClenny and George S. McClenny, her husband, Mattie M. Wills, and W. B. Wills, her husband, Gracie Gay, an infant under the age of twenty-one years, and John P. Lee guardian ad litem for said Gracie Gay. Defendants

You are hereby notified that on the 7th. day of June 1902 to make the inquiries and at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 15th. day of April 1902 in the suit in chancery pending in said Court to which you are parties plaintiff and defendants, to wit:

1. An Account of the real and personal estate belonging to said infant, Gracie Gay, together with the annual and fee-simple value of said real estate.
2. An Account of the liens on said real estate for delinquent taxes, or otherwise, if any, together with their amounts, dignities and priorities.
3. An Account showing whether it would be proper and for the best interest of the said infant defendant to sell a part of her said real estate, to wit: the Hickory Landing tract together with all the facts calculated to show the propriety of such sale.
4. An Account showing whether the interest of the said infant defendant would be promoted by such sale and whether the rights of any other person would be violated thereby.
5. An Account of any other matter deemed pertinent by myself, or which may be required to be stated by any person in interest.

Given under my hand, as Commissioner in Chancery of said Court, this 24th. day of May 1902

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted by us this 27th. day of May 1902.

John S. Lee
Guardian ad litem
Gracie Gay
Ro A Edwards
Guad. of
Gracie L Gay.

M M Wills

W B Wills

AUCTION SALE

—OF—

Valuable Land!

By authority of a decree of the Circuit Court of Nansemond county, Virginia, entered on the 30th day of June, 1902, in the chancery cause therein pending, under the style of "R. A. Edwards, Guardian of Gracie Gay, vs. Gracie Gay et als," I shall proceed to sell at public auction to the highest bidder, at 11 o'clock A. M.

ON MONDAY, AUGUST 11th, 1902,

(that being court day), before the Courthouse door of Nansemond county, the following valuable real estate, to wit:

All that certain tract of land situated in Nansemond county, Virginia, near Everett's Bridge, and bounded and described as follows: On the north by the lands of Mrs. Nelms and John T. Harrell; on the south by the lands of Thomas Little, or those which were his, and on the east by the western branch of Nansemond river, and known as the HICKORY LANDING tract, containing one hundred and twenty-one (121) acres, more or less, and being the same land that was conveyed to George M. Gay by Jethro Powell by deed dated the first day of January, 1883, and recorded in the [redacted]rt.

[redacted]One-third cash, and the remainder in two equal instalments at six and twelve months each, the deferred payments to bear interest at six per cent. till paid, and title to be retained till further order of Court. The purchaser will have the option to pay the whole in cash, if so desired.

For further information apply to

JULY 9, 1902. **R. H. RAWLES, Special Commissioner.**

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that R. H. Rawles, Special Commissioner in the above named cause, has given bond as required by the decree in said cause, with security deemed sufficient by me.

Given under my hand this 9th day of July, 1902.

A. P. GOMER, Clerk.

$1400
T. J. Saunders, J. H. Brock
exrs

AUCTION SALE

—OF—

Valuable Land!

By authority of a decree of the Circuit Court of Nansemond county, Virginia, entered on the [redacted] day of [redacted] in the chancery cause [redacted] Guardian of Gracie Gay, vs. Gracie [redacted], I shall proceed to sell at public auction to the highest bidder, at 11 o'clock A. M.

ON MONDAY, AUGUST 11th, 1902,

(that being court day), before the Courthouse door of Nansemond county, the following valuable real estate, to wit:

All that certain tract of land situated in Nansemond county, Virginia, near Everett's Bridge, and bounded and described as follows: On the north by the lands of Mrs. Nelms and John T. Harrell; on the south by the lands of Thomas Little, or those which were his, and on the east by the western branch of Nansemond river, and known as the HICKORY LANDING tract, containing one hundred and twenty-one (121) acres, more or less, and being the same land that was conveyed to George M. Gay by Jethro Powell by deed dated the first day of January, 1883, and recorded in the Clerk's office of Nansemond County Court.

TERMS.—One-third cash, and the remainder in [redacted] equal instalments at six and twelve months each, the deferred payments to bear interest at six per cent. till paid, and title to be retained till further order of Court. The purchaser will have the option to pay the whole in cash, if so desired.

For further information apply to

JULY 9, 1902. **R. H. RAWLES, Special Commissioner.**

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that R. H. Rawles, Special Commissioner in the above named cause, has given bond as required by the decree in said cause, with security deemed sufficient by me.

Given under my hand this 9th day of July, 1902.

A. P. GOMER, Clerk.

All Available Text Successfully Captured

I do not understand
why you did not get the
other paper. I signed it
and am quite sure I thought
I mailed it. Yrs &c.

Ros A Edwards

To Nannie L. McClenney, George T. McClenney, W. B. Wills, Mattie M. Wills and John P. Lee, guardian ad litem of Gracie Gay.

Please take notice that I shall appear before the Honorable Robert R. Prentis, Judge of the Circuit court of Nansemond county, at his office in Suffolk Virginia, on the 26 day of August 1902, and move the said court to make and enter the foregoing decree, in the chancery cause now pending in said court under the style of "R. A. Edwards guardian of Gracie Gay vs. Gracie Gay et als", in which I am plaintiff, and you are defandants; and if from any cause the said motion be not heard on that day, I shall renew the same from day to day, at the same place until the same shall have been heard and determined.

Respectfully Yours
R. A. Edwards Guardian of
Gracie Gay By Counsel.

We hereby accept full and sufficient servive of the above notice and consent and agree that the said decree may be entered in said cause together with any amendments that the said court may deem proper to be made thereto.

Nannie L. McClenney
George T. McClenney
W. B. Wills
Mattie M. Wills
By R. H. Lawler attorney in fact and atty at Law.
J. P. Lee Guardian ad litem for Gracie Gay, an infant.

Decree
Confirming Sale

Enter. Aug.
1902.

In the Circuit Court of Nansemond county in vacation on the 26th day of August 1902.

R. A. Edwards guardian of Gracie Gay

vs

Gracie Gay et als.

In Chancery.

This cause came on this day in vacation, to be again heard, after due notice to all the defendants, on the papers formerly read, as well as on the report of special commissioner R. H. Rawles, which report was filed on the 12th day of August 1902, and to which no exception has been taken, and was argued by counsel.

On consideration whereof, the court doth confirm the said report, and doth also confirm the sale of the real estate mentioned therein to the purchaser T. J. Saunders, for the price and sum of fourteen hundred dollars; and it appearing from the said report that the said purchaser has paid the sum of four hundred dollars down in cash, on the said purchase, and that he desires to pay the remainder in cash also, as soon as the sale is confirmed, the court doth further order and decree, that the said special commissioner shall proceed to collect the remainder of the purchase money in cash, provided the purchaser still desires to so pay the same, and when he shall have collected the whole of the said purchase money he shall make to the said purchaser a deed for the said real estate with the usual covenants of title in such cases. Out of the proceeds of said sale, the said special commissioner shall first pay off all the costs and expenses of this suit and sale, including a fee of $30.— to R. H. Rawles, for his services as counsel in this cause, and a fee of $10.— to John P. Lee guardian ad litem, for his services, it appearing to the court that he had rendered real and substantial services herein; he then shall pay any taxes that may now be due on said real estate, and the remainder of the purchase money he shall pay over to R. A. Edwards guardian of the said Gracie Gay. ⊗ The said special commissioner shall take and file proper vouchers for all his disbursements undee this decree, and make report of all his transactions hereunder to this court, and this cause is continued.

⊗ But before such payment is made to such guardian he shall execute a proper bond before the Clerk of this Court, with good security, in the penalty of $1500, conditioned for the faithful application of the fund, and for the management and preservation of any property or securities in which the same may be invested, and for the protection of

the rights of all persons interested therein whether such rights be vested or contingent.-

Robert R. Rules

To the Clerk of the
Circuit Court of
Nansemond County:

Deeree
Confirming Sale

Filed Aug. 26, 1902
Robert R. Rules

Ordered in Chancery
Order Book 3 Page
443.

Circuit Court of Nansemond county ; In vacation on the 30th day of June 1902 .

R. A. Edwards, Guardian of Gracie Gay

vs

Gracie Gay et als .

This cause came on this day to be again heard on the papers formerly read, as well as on the report of Wilbur J. Kilby, one of the commissioners of this court to whom the papers in said cause had been referred, which said report was filed on the 9th day of June 1902, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report, and it appearing therefrom, that the interest of the infant Gracie Gay will be promoted by a sale of a part of her real estate, and that the rights of no person will be violated thereby, the court doth order, adjudge and decree that R. H. Rawles, who is hereby appointed a special commissioner for that purpose, shall, after advertising the same for twenty days by hand bills publicly posted, and by notice published for three times in the Suffolk Herald, a newspaper published in the town of Suffolk Virginia, proceed to sell at public auction to the highest bidder before the court house door of this county, on some court day, that tract of land mentioned and described in the bill, and known as the "Hickory Landing tract" belonging to the said Gracie Gay, and described as follows ; that certain tract of land situated in the county of Nansemond in the State of Virginia and bounded as follows ;on the north by the lands of Mrs. Nelms and John T. Harrell; on the south by the lands of Thomas Little or those which were his ; and on the east by the western branch of Nansemond river, and called the "Hickory landing tract" containing one hundred and twenty one (121) acres more or less, and being the same land that was conveyed to George M. Gay by Jethro Powell , by deed dated the first of January 1883, and duly recorded in the clerks office of Nansemond county court; said land to be sold on the following terms to wit; one third cash, and the remainder in two equal installments at six and twelve months each, the deferred payments to bear interest at six percent from the day of sale till paid, and the title to be retained till the further order of this court; but with the option to the purchaser after the sale is over, to pay the whole of the purchase money in cash if so desired by him.

But before the said special commissioner shall act under this decree he shall enter into a bond in the penalty of $1800.- conditioned for the faithful performance of his duties as such commissioner under this and all other decrees in this cause, ~~=~~ before the clerk of this court, with security deemed sufficient by said clerk. And the said commissioner shall report to this court all his acts under this decree and this cause is continued .

Robert R. Prentis

To the Clerk of the Circuit Court of Nansemond County.

To Nannie L. McClenny, George T. McClenney, W. B. Wills and Mattie M. Wills, and John P. Lee guardian ad litem for Gracie Gay.

Please take notice that I shall ~~=~~ appear before the Honorable Robert R. Prentis, Judge of the Circuit Courtof Nansemond county, in vacation, at his office in Suffolk Virginia, on the 30th day of June I902, and move the said court to make and enter the foregoing decree in the chancery cause now pendin g in the said court, under the style of "R. A. Edwards, Guardian of Gracie Gay, vs. Gracie Gay et als; and if from any cause the said motion be not heard on that day, I shall renew the same from day to day, at the same place, until the same has been heard and determined.

Respectfully
R. A. Edwards Guardian of Gracie Gay. By Counsel.

We hereby accept sufficient and legal service of the above notice and consent and agree that the said decree made be made and entered in the cause referred to.

Nannie L. McClenny
George T. McClenny
Mattie M Wills
W.B. Wills by R H Rawles agent and attorney.
John P. Lee Guardian ad litem for Gracie Gay.

Decree for Sale

Enter. June 30
1902.

Robt R. Reeves

Entered in Chancery
Order Book No 2 Page 433

In the Circuit Court of Nansemond county in Vacation June 1902.

R. A. Edwards guardian of Gracie Gay

vs In Chancery

Gracie Gay et als .

By consent of all parties to this cause entered of record it is ordered that the papers in this cause may be submitted to the judge of this court in vacation for such order or decree therein in vacation as might be made in term.

We hereby consent that the above order or decree may be entered in the above named cause in vacation. June 23rd 1902.

Sign for all

Geo. T. McClenny

N L McClenny.

J. D. Lee, Guardian ad litem for Gracie Gay

In the Circuit Court of Nansemond county in Vacation June 1902.

R. A. Edwards guardian of Gracie Gay

vs In Chancery

Gracie Gay et als .

By consent of all parties to this cause entered of record it is ordered that the papers in this cause may be submitted to the judge of this court in vacation for such order or decree therein in vacation as might be made in term.

We hereby consent that the above order or decree may be entered in the above named cause in vacation. June 23rd 1902.

W. B. Wills

M. M. Wills

In the Circuit Court of Nansemond county in Vacation June 30, 1902.

R. A. Edwards guardian of Gracie Gay

vs

Gracie Gay et als .

In Chancery

By consent of all parties to this cause entered of record it is ordered that the papers in this cause may be submitted to the judge of this court in vacation for such ~~order~~ decisions or decrees therein in vacation as might be made in term.

R. A. Edwards

To the Clerk of the
Circuit Court of
Nansemond County.

We hereby consent that the above order or decree may be entered in the above named cause in vacation. June 23rd 1902.

Sign here R. A. Edwards Guard. of
Gracie L. Gay.

I think aught not to be sick or Stop
at Norfolk. R. A. E.

Enter June 20, 1902

Robert R. Blews

Entered in Chancery
Order Book No 3 Page 433.

R. A. Edwards Guardian of Gracie Gay,

vs. In Chancery

Gracie Gay et als.

This cause came on this day to be heard on the Bill and exhibits filed, the answer of John P. Lee guardian ad litem of Gracie Gay the infant defendant, duly assigned at rules according to law to defend her in this suit, the answer of Gracie Gay, the infant defendant, who is over fourteen years of age, in her own proper person; and the other defendants upon whom process appears to have been duly served, failing to plead, answer, or demur, the bill is taken for confessed as to them, and was argued by counsel.

On consideration whereof, the court doth order, adjudge, and decree, that one of the commissioners of this court shall proceed to take and state the following accounts;

1st. The real and personal estate belonging to the infant, Gracie Gay, together with the annual and fee simple value of said real estate.

2nd. The liens on said real estate, if any, together with their amounts, for delinquent taxes or otherwise, dignities, and priorities.

3rd. Whether it would be proper and for the best interest of the infant defandant to sell a part of her said real estate, to-wit, the Hickory Landing tract, together with all the facts calculated to show the propriety of such sale.

4th. Whether the interest of the said infant defandant would be promoted by such sale, and whether the rights of any other person would be violated thereby.

5th. Any other matter deemed pertinent by said commissioner, or which may be required to be stated by any person in interest.

And the said commissioner shall report to this court all his acts under this decree, filing with his said report the depositions of any witnesses that may be prodeed before him, and this cause is continued.

Edwards, Guardian &
vs.
Bacin Gay etals

Decree for Accounts.
Entered April 15,
1902.
Robt. R. Reuhs

Entered in Chancery
Order Book No. 3,
page 408.

At a County Court held for the County of Isle of Wight at the Court-house thereof February 4th 1895.

Robert A.Edwards who was chosen by Nannie L. Gay as her guardian, and was appointed this day by the County Court of Isle of Wight County guardian of Grace Gay in place of Mattie M.Gay,resigned, both orphans of George M.Gay,decd. together with Henry R.Parker,his security,who justified entered into and acknowledged a bond as such guardian in the penalty of Twelve Hundred Dollars, conditioned according to law, ordered that said bond be recorded.

A C O P Y.

Teste: _____Clk.

86 Lu

Ex. a.

A C O P Y.

Date: ----------

Virginia:

Circuit Court for the County of Nansemond, to wit;

R.A. Edwards, Guardian of Gracie Gay Complainant

Against } In Chancery

Gracie Gay & als. Defendants

The depositions of Solomn J. Saunders, Fred. A. Gray & Ro. A. Edwards, taken before Wilbur J. Kilby, Commissioner in Chancery of the Circuit Court for the County of Nansemond, at his office in the Town of Suffolk in said County on the 7th. day of June 1902 to be read as evidence in the Chancery suit pending in said Court between R.A. Edwards Guardian of Gracie Gay, Complainant, and Gracie Gay and others, Defendants

Present: John P. Lee, Guardian ad litem for the infant defendant, Gracie Gay, and Robt. A. Edwards, Guardian, Complainant

Solomon J. Saunders, witness, being first duly sworn, in answer to questions, deposes and says as follows:

1. Q. What is your age, residence and occupation and do you know the parties to said suit?

Ans. I am 45 years old, live on Scotts Creek in Nansemond County and am a farmer; and I know the parties to said suit

2 Q. Are you acquainted with the land in the Bill in said suit mentioned known as the Hickory Landing tract belonging to the infant defendant, Gracie Gay, situated on Western Branch of Nansemond River in Chuckatuck Magisterial District in said County, containing 121 acres, more or less and bounded by the lands of James A. Harrell, Thos. W. Little and others; and, if so, state whether the interest of said Gracie Gay would be pro-

moted by a sale of the same and the investment of the proceeds of the sale for the use and benefit of said Gracie Gay's.

Ans. I know the said land. I live within a mile of it and have known it for 18 years. I have been over the land or passed through it frequently. When I first knew it, it was in much better condition than it is now and produced fair crops. Since that time its condition has steadily declined until now it is in very poor condition and produces very indifferent crops. The buildings have decayed until now they are not fit for tenants to live in, or, in other words, are useless. ~~It~~ They might be patched up, but the expenditure of money for that purpose, would be almost useless. It would be much better to build new houses, but that would require a considerable amount of

ynney. I can see no pros-
pects for any improvement
in the place and unless
something is done to it, it
will continue to become less
valuable. Its decline has
been ~~downwards~~ gradual all the time.
From these facts and my gen-
eral knowledge of the place, I
am able to say that the in-
terest of Gracie Gay, the owner,
would be decidedly promoted
by a sale of it, ~~and the~~ be-
fore its condition gets worse,
and the investment of the
money for her use and ben-
efit. I can see no reason
why it should not be proper
to sell it, and I am not
aware that any rights of any
body would be violated by
a sale. I hear that Gracie
Gay is going to school and
is now quite a young lady
and needs considerable money
to meet her expenses, ~~pay~~ for her
education and clothing and board.
If this is true, then I think that

nothing better could be done than to sell the land and apply the money to meet these necessary expenses. I should say the said land is worth about $1000 or $1200.

And further this deponent says not.

Solomon J. Saunders

Frederick A. Gray, witness, being first duly sworn in answer to questions, deposes and says as follows:

1. Q. What is your age, residence and occupation and do you know the parties to said suit?

Ans. I am 55 years of age, reside in Jasper County and am a farmer; and I know all the parties to said suit.

2. Q. Are you acquainted with the land in the Bill in said suit mentioned, known as the Hickory Landing tract belonging to the

infant defendant, Gracie Gay, situated on Western Branch ~~of~~ Chuckatuck Magisterial District in said county, containing 121 acres, more or less and bounded by the lands of Jas A. Harrell, Thos. W. Little and others; and, if so, State whether the interest of said Gracie Gay would be promoted by a sale of the same and the investment of the proceeds of the sale for the use and benefit of said Gracie Gay's.

Ans I know the said land and have known it for twenty years. I live about two miles from it and have been on it frequently. When I first knew it, it was a fairly good place. Since then ~~timb~~ timber has been cut off it. It has been ~~is been~~ in the possession of tenants ever since I first knew it, and it is in poor condition. The buildings amount to

nothing and no one would estimate them at any price or value. It produces poor crops because it has been run down. There are no prospects of improvement that I can see except by the expenditure of a large sum of money, - at least five hundred dollars - for new buildings, fertilizers and other purposes to put the place in such condition as a farm of its kind should be for profitable farming. If Gracie Gay needs more than her income for her education, maintenance and necessaries, it is my opinion that her interest would be promoted by selling the land and using the money to meet her expenses and for the purposes mentioned, or investing it in some manner for her use and benefit. From these facts and my general knowledge of the land I am ~~satisf~~ satisfied that her interest would be promoted by a sale and the use of the

money as her necessities may require. So far as I am informed the rights of no person would be violated by a sale. I think ~~the land~~ that at the outside twelve hundred dollars is about the value of the land. Its annual value is about $60 or $75.

And further this deponent says not.

F. N. Gray

Robert A. Edwards, Plaintiff, and witness, being first duly sworn, in answer to questions, deposes and says as follows:

1. Q What is your age, residence, and occupation and do you know the parties to ~~said~~ suit?

Ans I am 49 years of age, reside in Smithfield, and Sheriff of Isle of Wight County, and I know all the parties to said suit. I am guardian of the defendant, Gracie Gay, and as such am Plaintiff in said suit.

7. Q Do you know whether said Gracie Gay owns any real estate, and if she does own any, please state where it is located, describe it generally, and state its fee-simple and annual values?

Ans. Yes, she owns real estate as follows:
1. A tract of 171 acres, more or less, known as the Hickory Landing Tract, in Nansemond County bounded by the lands of Mrs. Selius, James A. Harrell, Thos. W. Little, and Western Branch of Nansemond River.
2 A tract of land of 103 1/8 acres, more or less, known as the Goodman land in Isle of Wight County and adjoining the lands George W. Whitley's heirs, J. J. Pipes' heirs, Sydney T. Ellis and others.
3. A tract of land of 23 3/8 acres, more or less, in Isle of Wight County and adjoining the lands of Mattie M. Wills, Sydney T. Ellis and others.
~~These are the all the lands owned by her.~~

In addition to the foregoing, she owns a one-half interest in that part of the home place which belonged to her father, the late George W. Gay, and which her mother holds as her dower, in Isle of Wight County. Her mother is still living and is in possession of said dower and, of course, receives the rents and profits thereof. Gracie will not come into possession of her half of this dower land until her mother's death.

The fee-simple value of the Hickory Landing Tract is about $1000 or $1200, and its annual value is $60 and taxes. The tenant pays the taxes. This has been the rent for four years.

The fee-simple value of the Goodman tract is about $700 or $800, and its annual value is $75. It has rented for $75 annually for three years.

The fee-simple value of tract No. 3 above is about $300, and its annual value $30.

3 Q. Do you know whether Gracie Gay owns any personal property, and if she does own any, please state of what it consists?

Ans She has no personal property of any kind except the rents above-mentioned and these ~~have~~ are not sufficient to meet her expenses. Her gross income is $172. in rents and her expenses for maintenance, education, and other expenses amount to $247 per year. This has been the annual average for the past four years. There are no delinquent or other taxes due on said lands and there are no liens of any kind on them.

4. Q State whether the interest of said Gracie Gay would be promoted by a sale of any part of her said lands and the investment of the proceeds of the sale for her use and benefit or whether her proper maintenance and education & other interests

require the sale of said lands, or any part thereof, and the application of the proceeds beyond the annual income thereof, to her maintenance, education and other expenses?

Ans. Yes. I deem it necessary to sell part of said lands and that her interest would be promoted thereby. As the Hickory Landing Tract is in Jamestown County remote from the other lands, I should say that it would be best to sell that tract, All the other lands adjoin each other and the said dower land. Gracie is about 16 or 17 years of age and has been away at College during the last three years and has applied herself to acquire an education. Her purpose is to prepare herself for teaching. & Her expenses at College are necessarily large - so ~~that~~ large that her net income ~~is not safe~~ & rents suffice

to pay only her board and tuition, leaving nothing for her clothing and other expenses. I have been compelled to advance money to meet her expenses every year beyond her income. The Hickory landing tract, pays in proportion to the number ~~of clear land~~ of acres of cleared land, less rent than the other lands. The small rent is due to the fact that the land has been run down and is less productive. Its general condition is not so good as that of the other lands. It would sell fairly well. It has no improvements on it of any value and taken altogether would be the best place to sell. Parties have said they would rent it if it had had any buildings on it to put a family in. The rights of no one would be violated by the sale.

And ~~for~~ further this deponent says not.

Ro. A. Edwards

Virginia.

County of Nansemond, to wit:

I, Wilbur J. Kilby, a Commissioner in Chancery of the Circuit Court for the County of Nansemond in the State of Virginia, do certify that the foregoing depositions of Solomon J. Saunders, Fred A. Gray and Robt. A. Edwards were duly taken, sworn to, and subscribed before me at the place and time mentioned therein and in the caption thereto.

Given under my hand this 7th. day of June 1902

Wilbur J. Kilby,
Commissioner in Chancery.

Edwards. Gdn.

vs. } In Chy.

Gay & als.

Report of Wilbur J. Kilby Commissioner in Chancery under decree of 15 April 1902

1902 June 9th
Filed
A. P. Gomez clk.

R. A. Edwards guardian of Gracie Gay

vs In Chancery.

Gracie Gay et als.

This cause came on this day to be again heard on the papers formerly read, as well as on the report of R. H. Rawles, special commissioner which said report was duly filed on the 27th day of October 1902 and to which said report no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing to the court that the said R. H. Rawles special commissioner, has collected ~~of the purchase~~ the whole of the purchase money for the land in the bill and proceedings mentioned, and which were sold under a former decree of this cause, and that he has made to the said purchasers a deed for the said land with the usual covenants of title, and that out of the proceeds of sale he has paid all the costs and expenses of this suit and sale, and has paid the remainder of the purchase money over to R. A. Edwards guardian of Gracie Gay, who had previously given bond as required by a former decree in this cause, and the said commissioner having filed proper vouchers for all of said disbursements, the court doth confirm the said report; and it appearing that nothing further remains to be done in this cause, the court doth order adjudge and decree that the same be stricken from the docket.

Final Decree

Enter:

Oct. 22d 1902.

Robert N. Harris

Entered in Chancery
Order Book No 2
Page 469.

The answer of Gracie Gay, an infant under the age of twenty one years, but over the age of fourteen years, to a Bill in Chnacery exhibited against her and others, in the Circuit court of Nansemond county, by her guardian R. A. Edwards.

This defendant answering says, that she is over the age of fourteen years, but not yet twenty one; that so far as she is capable of knowing and understanding the nature of the case as stated in the Bill, she believes it it a move in the right direction ; that she thinks the statements in the Bill are true; that she is very anxious to complete her education, and she believes it will promote her interest to have the tract of land called the "Hickory Landing tract" sold, so that she may have the use of the ready money to assist in finishing her education, and paying her other necessary bills and expenses. She therefore joins in the prayer of the bill and prays that the said land may be sold. And having fully answered, she prays to be hence dismissed, with her reasonable costs in this behalf expended and she will ever pray &

Gracie Gay

Virginia ; Nansemond county towit ;

I, R. H. Rawles, a notary public, for the county aforesaid in the State of Virginia, do certify that Gracie Gay whose name is signed to the above answer has this day made oath before me in my said county, that the statements contained in said answer are true to the best of her knowledge and belief. Given under my hand this 28th day of March 1902 .

R. H. Rawles. N. P.

Answer of
Lucia Fay.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 48 B.

[Code of Va., § 2616, etc.]

In the Circuit Court of the County of Nansemond.

The answer of Gracie Gay

on

infants under the age of twenty-one years, by John P. Lee (a discreet and competent attorney at law), ~~their~~ her guardian *ad litem* assigned to defend ~~them~~ her in this suit, and the answer of the said John P. Lee, guardian *ad litem* of the said infant defendants, to a bill of complaint exhibited against the said infants and others by R. A. Edwards Guardian in the Circuit Court of the County of Nansemond.

For answer to the said bill the said infant defendants by ~~their~~ her said guardian *ad litem* answers and says that being of tender years ~~they do~~ she does not know what ~~their~~ her true interests ~~are~~ is in relation to the subject matter of the said bill, nor ~~do they~~ does she know whether the statements therein contained are true or not. ~~They~~ She confide the protection of ~~their~~ her 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.

Gracie Gay

By John P. Lee
Guardian *ad litem.*

John P. Lee } Guardian *ad litem* of the said infants.

STATE OF VIRGINIA,
County OF Nansemond } *ss.*

Sworn to before me in my County aforesaid by John P. Lee guardian *ad litem* as aforesaid, this the 19 day of March A. D. 1892.

R. H. Rawles, N. P.

Form 48 B.

Edwards, Guardian

vs.

ANSWER OF INFANT DEFENDANTS BY THEIR GUARDIAN AD LITEM, AND ANSWER OF THE GUARDIAN AD LITEM FOR THE INFANTS.

Gracie Gay *et als.*

Filed March 17th 1902 ~~189~~

To the Honorable Robert R. Prentis , Judge of the Circuit Court of Nansemond county ;

Humbly complaining sheweth unto your honor your orator ~~the~~ R. A. Edwards guardian of Gracie Gay, an infant over the age of fourteen years the following case ;

That your orator is the guardian of Gracie Gay, having been duly appointed and qualified as such in the county court of Isle of Wight county on the 4th day of February I895 as will appear by the certificate of the clerk of the said court herewith filed marked "Exhibit A." and prayed to ~~be~~ be read as a part of this bill .

That his said ward is the infant daughter of the late George M. Gay, and is still under the age of twenty one years; that her mother Mrs Mattie M. Wills is still living, having intermarried with W. B. Wills and that her only other heir at law is her sister Nannie L. McClenney, formerly Gay , who first married B. A. Riddick, and after his death married George T. McClenney; that his said ward is siezed and possessed in fee simple of ~~the~~ the three following tracts of land, which she inherited from her father the late George M. Gay, and which were later assigned to her as her share in fee simple of his said real estate, by commissioners duly appointed in the partition cause in chancery in the case of "R. A. Edwards guardian & vs B. A. Riddick et als" lately pending in this court, all of which more fully appears from a copy of said report of said commisioners duly approved by said court, and recorded, and herewith filed and marked "Ex B." and asked to ~~be~~ be read as a part of this bill; the said three tracts are described as follows ;

First ; the Hickory Landing tract; all that certain tract of land situated in the county of Nansemond in the State of Virginia and bounded as follows ; on the north by the lands of Mrs. Nelms and John T. Harrell ; on the south by the land of Thomas Little or that which was his ; and on the east by the western branch of Nansemond river, and called the Hickory landing tract, and contains I2I acres more or less, and being the same land conveyed to the said George M. Gay by Jethro Powell by deed dated the first day of January I883 and recorded in the clerks office of Nansemond county court .

Secondly ;The Goodman tract ; a tract of land situated in the county of Isle of Wight in the State of Virginia and bounded as follows; beginning at the corner of the Ellis land and the road leading from Suffolk to Isle of Wight court house and running northwesterly along said road to it intersection with the road leading from Everetts Bridge to Windsor; thence running westerly along the said road to a pine stump on the corner of the land of J. J. Tynes heirs ; thence running southerly along said line to a stump on the corner of George W. Whitleys land ; thence along said Whitleys line southerly to a corner on said land ; and thence running easterly along said land to a pine on the path on the corner of the said Ellis land ; thence easterly along the said Ellis land along a line of marked trees to the beginning, and containing 103, 1/8 acres:

Third ; another small tract situated in the said county of Isle of Wight in the State aforesaid and described as follows ; commencing at a stob on the corner of the dower land of Mattie M. Wills and the road leading from Everetts Bridge to Windsor and running westerly along said road to its intersection with the road leading from Isle of Wight courthouse to Suffolk, thence running southerly down said road leading to Isle of Wight court house to a line pine dividing S. T. Ellis land ; thence running easterly along a line of marked trees to a big pine ; ; thence running southeasterly to a dogwood and pine on the corner of the road to Exit, and thence running northerly along said dower land to the beginning, containing 23, 3/8 acres.

Now your orator further says that he thinks that the interest of his ward Gracie Gay, will be promoted by a sale of at least one of the tracts of said land , towit ; the Hickory Landing tract in Nansemond county, and that the rights of no person will be violated thereby, and your orator states the following facts calculated to show the propriety of such sale;

First, his said ward has no other real estate than that herein mentioned and has no personal estate at all; she is a young lady just receiving her education and is desirous to complete the same, and she no means at hand to enable her to do so ; but on the other hand she is largely in debt for her board and tuition in the past , there being one bill of about $160 due to Suffolk College by her for board and tuition. This bill as well as others has long since been due and payable and payment has been demanded of your orator as her guardian, who has nothing in hand to make paymnet with and no property or assets belong to his said ward ;

except her said land . Your orator is of the opinion and believes and therefore charges that it will be to the best interest of his said ward to sell said Hickory Land tract of land, convert it into money, and use the same in paying old bills, and especially in continuing and completing her education. And for second reason your farther says that the said Hickory landing tract of land is in fact deteriorating in value each year, in fact "going down" so to speak, under the rental system; that he is re-ceiving very little from its annual rental, and that the class of tenants he is obliged to deal with, instead of improving the land is really causing it to de-crease in value all the while, as they strip the place of all they can get off of it, and will not attempt to put any improvements thereon, either by fertilizing the soil or otherwise; hence your orator thinks the inter-est of his said ward will be promoted by sale of the said tract of land . And he further says that if his said ward were dead, her only heir to the said land would be her sister Nannie L. McClenney.

In tender consideration ~~where~~ whereof and forasmuch as your orator is re-mediless in the preimses save by the aid of a court of equity where matters of this kind are alone and properly cognizable, your orator prays that the said Gracie Gay , Nannie L. McClenney and George T. McClenney her husband, Mattie M. Wills and W. B. Wills her husband, may be made parties defendant to this bill and required to answer the same, though an answer under oath is waived; that proper process may issue; that a proper guardian ad litem may be assigned the infant to defend her interest in this ~~suit~~ suit; that all ~~re~~ proper accounts may be taken; and that the said Hickory Landing tract of land in Nansemond county, may be sold and converted into money for the use of his said ward, and for all such other further and general relief as this case may require, or which to equity may ~~seem meet~~ seem meet, and your or-ator will ever pray & . And notice is hereby given that the court will be asked to allow a reasonable fee to plaintiffs counsel for his services in prosecuting this case.

Ro. A. Edwards

Gracie .

Virginia ; Nansemond county towit ;

I,R. H. Rawles a notary public for the county aforesaid in the State of Virginia do certify that R. A. Edwards ~~as~~ guardian whose name is signed to the writing above has this day made ~~a~~ oath before me in my said county, that the statements contained in the said bill as coming of his own knowledge are true, and that all other statements made therein, as coming from knowledge or information dereived from others he believes to be true . Given under my hand this 15th day of March 1902 .

R H Rawles N. P.

Bill.

R. A. Edwards Plff

vs.

Grain Gay et als

1902 March 17th Filed

R A Edwards
against } In Chancery
Grace Gay and others
Chancery Notes.

1902 March 11th Process issued returnable to March Rules third Monday

" " 17th Process returned executed on Adult defendants.
Guardian ad litem appointed for Infant defendant
Bill filed and decree nisi against them.

" April 7th Decree nisi confirmed and cause set for hearing

Chancery Notes

N. Y.

R. A Edwards Gdr &c

Vs } In Chancery

Gracie Gay & others

1902

October 22nd

Final Decree

R. A Edwards & c Vs Gracie Gay & c

Costs
Clerk 8.72
Jay 1.50
Shff 2.00
Cost-B 1.00
Atty 15.00
Gdvadlt 10.00
Coms 20.00
Witness 3.10
$61.32