1903-019
Nansemond Co(Suffolk) Chancery Causes: V. Clifford Beamon vs William S Beamon by
S Kate Beamon by

Norfleet

N Clifford Beamon J W Burgess atty

1903

To A. P. GOMER, Clerk Circuit Court of Nansemond County, Dr.

Feb 4th. ~~Fees and~~ Clerk Fees in suit in Chancery

against W S & Kate Beamon ..... $ 7.97

Feb 5th 1903 Paid ..... A P Gomer ....., Clerk.

12,21
7.97
4,24

ESTABLISHED 1873.

Suffolk, Va., MAR 11 1899 189

Mr Jas U Burges

To SUFFOLK HERALD, Dr.

Newspaper and Job Printing Establishment,

No. 9 WASMINGTON SQUARE.

Terms of this Bill

98

Dec 30	Advertising Sale of Beaman Land in Hunard	5 00
	100 Hand Bills Notice of Sale	1 00
		6 00

Rec'd Payment

J E Booker

1899 Sept. 29. Received of Jas. M. Burges, Special Comr. the sum of Twenty dollars for preparing Report filed in the Chancery cause of Beamon v. Beamon in Jasper County Circuit Court.
$20.00

Wilbur J. Kilby,
Comr. in Chy.

SOUTHERN STATES TELEPHONE No. 2994.
SOUTHERN BELL TELEPHONE No. 117.

OFFICE OF
J. U. BURGES,
ATTORNEY AT LAW.

CITY ATTORNEY.
ROOMS NOS. 3 AND 4 BREWER BUILDING.

Suffolk, Va., April 26 1899.

Receipt of J. U. Burges, Special Commissioner in the Chancery cause of Beamon vs. Beamon et al- two hundred and eighty-four ($284.77) dollars and seventy cents as the share of W. S. Beamon in the proceeds of the sale of the real estate sold under a decree in said cause-

Mrs Alice Beamon
Guardian of W. S. Beamon

SOUTHERN STATES TELEPHONE No. 2994.
SOUTHERN BELL TELEPHONE No. 117.

OFFICE OF
J. U. BURGES,
ATTORNEY AT LAW.

CITY ATTORNEY.
ROOMS NOS. 3 AND 4 BREWER BUILDING.

Suffolk, Va., April 26th 1899.

Received of J. U. Burges, Special Commissioner in the Chancery cause of Beamon vs Beamon et al two hundred and eight-four ($284.22) dollars and twenty cents as the share of S. Kate Beamon in the proceeds of the sale of the real estate sold under a decree in the above mentioned cause

Mrs Alice Beamon
Guardian of S. Kate Beamon

SOUTHERN STATES TELEPHONE No. 2994.
SOUTHERN BELL TELEPHONE No. 117.

OFFICE OF
J. U. BURGES,
ATTORNEY AT LAW.

CITY ATTORNEY.
ROOMS NOS. 3 AND 4 BREWER BUILDING.

Suffolk, Va., April 26 1899.

Receipt of J. U. Burges, Special Commissioner in the Chancery cause of Beamon v Beamon et al for two hundred and eighty-four ($284.22) dollars and twenty-two cents as my share, as sole devisee of H. Clifford Beamon, in the proceeds of the sale of the real estate sold under a decree in said cause.

Mrs Victor Beamon

No. 15-0

Mr J. U. Burgess, Comm. Beamon vs. Beamon

1899. To THE TOWN OF SUFFOLK, Dr.

To Tax on $ 8.5-0 Real and Personal Estate, at 87c. per $100, for General Purposes	$	7 40
" Capitation Tax, at 50 cents each, for all purposes		
" Tax on $ 8.5-0 Real and Personal Estate, at 6c. per $100, for the Poor		5-1
" " " $ 1- Real and Personal Estate, at 13c. per $100, for Schools		1 10
" " " $ 1- Real and Personal Estate, at 2c. per $100, for Roads		17
TOTAL FOR ALL PURPOSES		9 18
" 5 per cent. added after December 1st		

Received payment 29 *day of* Nov, 1899. John T. Lotta *Treasurer.*

Mr. J. U. Burgess, Comm. — Dr. Beamon vs. Beamon

1899.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. 147 / No. of Acres	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 20c. on $100.	Parish Levy, 8c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c on $100.	County Road Tax, 10c. on $100.	TOTAL TAX.
To Real Estate, value $								
" Personal Property, value $ 850	2 55	85	1 70					5 10
" value $								
" Poll Taxes		1 00					~~50~~	
Total								5 10
5 per cent. additional								
Total								

Received payment 28 day of Nov 1899

W. A. Knight Treasurer.

Per

THE GREAT TIDEWATER FARMING SECTION OF VIRGINIA.

SUFFOLK has the Best and Cheapest Transportation Facilities of Any Town in the South, including Five Railroads and a Deep-Water Route to the Ocean.

Town and Country Property, Improved and Unimproved, for Sale. Write, enclosing stamp for reply.

FACTORY SITES GIVEN AWAY.

Office, No. 42 Sycamore Street.

Suffolk Real Estate Agency.

J. WALTER HOSIER, Proprietor.

Investments Made and Loans Negotiated, Titles Investigated, Taxes Paid, and Insurance Placed.

SOLE AGENT FOR EAST SUFFOLK REAL ESTATE CO.

SUFFOLK, VA., Sept 27th, 1899

J.U. Burges, Special Commissioner

To J. Walter Hosier, Auctioneer

For services in selling Jno R. Beamon farm on the 9th of January, 1899.

Received Payment from J.U. Burges

Special Commissioner.

J. Walter Hosier

Auctioneer.

To the Clerk of the Council - Court for Nansemond County -

N. Clifford Beamon

vs { In Chancery -

William S. Beamon, and

S. Kate Beamon -

Please issue summons to 1st November rules to answer a bill in Chancery -

Pay $1.50

Nov 2nd 98

J. A. Burgess -

P.Q.

Memorandum.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON William S Beamon and S Kate Beamon Infants

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 First Monday in November 1898, to answer a Bill in Chancery, exhibited against them in the said Court by W Clifford Beamon

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 3rd day of November, 1898, in the 123rd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

A. P. Gomer, CLERK.

Executed this day, viz:- 1898-98
By delivering a true copy of the
within bill to Wm S Beamon
one of the def'ts named therein
in person
This 2nd Dec 1898
A H Baker Sheriff

J W Burges p. q.

vs. Clifford Beamon

vs. } In Chancery.

William S Beamon
and S Kate Beamon

1898

November Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 171

Know All Men by These Presents, That we, James U Burges and John B Norfleet

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Twelve 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 20th day of December in the year of our Lord one thousand eight hundred and Ninetyeight, and in the 123rd year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree pronounced in Vacation on the 20th day of December 1898 by Hon Robert R Prentis Judge of the Circuit Court for the County of Nansemond in the State of Virginia in the Chancery Cause pending in said Court between W Clifford Beamon Complainant and William S Beamon and others defendants it was decreed that the land mentioned in the bill and proceedings in this cause be sold and that the said James U Burges was by said decree appointed Special Commissioner to sell the same. Now therefore if the said James U Burges shall faithfully discharge his duties under said decree and all other decrees he may be required to execute in said cause and shall in all other respects faithfully discharge the duties of his Office post or trust as Special Commissioner aforesaid according to law then the above obligation is is to be void, otherwise it is to remain in full force and virtue.

James U Burges SEAL
John B Norfleet SEAL
SEAL
SEAL
SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 20th day of December 1898

The above bond was executed and acknowledged by the obligors (the surety ---- justifying on oath as to his sufficiency) and recorded.

Teste: A P Gomer CLERK.

A copy Teste A P Gomer Clerk

James W Burgess

To Spec. Comr Bond

The Commonwealth.

1898

December 20th

Recorded in Official
Bond Book No 1.
Page 173.

A Copy

Beamon Vs Beamon & others

In the Circuit Court of the County of Nansemond, in vacation, on the 6th day of February, 1903.

V. Clifford Beamon vs. Beamon et al.

This cause came on this day to be again heard with the consent of all parties, heretofore entered of record, making this a vacation cause upon the papers formerly read and upon the report made by J. U. Burges, Special Commiesioner, of the distribution of the sum of $1005. the proceeds of the sale of the lands sold in this suit, together with a proper voucher for each item of disbursement, this day filed, to which report there are no exceptions, and was argued by counsel:

On consideration whereof the Court doth ratify, approve and confirm said report in all respects, and, it appearing from said report, that there is nothing further to be disposed of in this suit, doth adjudge, order and decree that this cause be removed from the docket.

Robt R. Lewis

To the Clerk of the Circuit Court of Nansemond County.

Entered July 6, 1903

Robt R. Stevens.

Entered in Chancery
Order Book No 3 Pg 491.

N. Clifford Branson

vs

William J. Branson et als-

On the motion of the attorney for the plaintiff J. L. Mahnmon is duly appointed guardian ad litem for the infant defendants, William J. Branson and J. Kale Branson, said J. L. Mahnmon being a discreet attorney at law practicing in this court, and he is required to defend the interests of the said infant defendants in the above entitled cause.

A. Gosney Clerk

Order
appointing
Guardian
Ad litem

To the Honorable R. R. Rinaker, Judge of the Circuit Court for the County of Hammond:

Beamon vs Beamon et al.

In pursuance of a decree made and entered in the above cause March 8th 1899, your Commissioner respectfully reports that the bond of Alida Beamon, guardian of William S. and S. Hale Beamon, the infants in the above cause, is for the sum of Four thousand ($4000.00/100) dollars, with Walter W. Ballard, John P. Norfleet, and R. D. Norfleet as securities.

The personal estate, which was amounted to over two thousand ($2000.00/100) dollars, has been almost entirely expended. Your Commissioner believes that the interests of the said infants will be amply protected by said bond.

Respectfully submitted

W. H. Benson

Special Commissioner

Beaucoup

15 Report on board
of Secondary Defect
Beaucoup

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

Beamon vs. Beamon et al.

The undersigned commissioner, appointed by decree made in the above cause, proceeded to execute the duties thereby enjoined upon him. After advertising the time, terms, and place of sale, as directed by the decree entered in this cause, your commissioner proceeded to sell, at public auction, to the highest-bidder, at the front door of the court house of Nansemond County, on Monday the 9th day of January 1899, Court day, upon the terms directed by the said decree, the land in the bill and proceedings mentioned containing one hundred and sixty-acres, and bounded by the lands of Richard Beamon, R. M. Bruce, and Colonel Alexander Savage, at which sale W. S. Downs became the purchaser by bidding therefor the sum of one thousand ($1005.00/100) and five dollars. He informs your commissioner that he desires to pay the entire purchase price in

cash, and is ready to close, as soon as the sale is confirmed. Your commissioner believes that the property sold for a fair price, and recommends the confirmation of the sale.

Your commissioner has given bond required by the decree in this cause and returns herewith a copy of the advertisement of sale.

Respectfully submitted

D. H. Burgess

Special Commissioner.

Beamon
vs. { Report of Sale -
Beamon et al

Filed
Mar. 8, 1899.

AUCTION SALE

—OF—

Valuable Farm!

By authority of a decree of the Circuit Court for the county of Nansemond, in the State of Virginia, pronounced on the 20th day December, 1898, in the chancery cause pending in said court between V. Clifferd Beamon, complainant, and William S. Beamon and others, defendants, I shall sell by public auction to the highest bidder, before the Courthouse door of said county, on County Court day,

Monday, January 9, 1899,

at 12 o'clock M., that certain tract or parcel of land lying in Sleepy Hole Magisterial district, in said county, near the intersection of the Atlantic and Danville and Norfolk and Carolina railroads, containing one hundred and sixty acres, more or less, bounded on the north and west by the lands of Richard Beamon, on the east by the lands of Colonel Alexander Savage, and on the south by the lands of B. M. Bruce, it being the farm on which John R. Beamon formerly resided.

TERMS OF SALE.—One-third of the purchase money will be required in cash, and the remainder in equal sums at the end of one and two years, respectively, with interest from the day of sale; the purchaser to execute bonds with waiver of the benefit of his exemption, and with good personal security in evidence of the deferred payments, and the title to the land to be retained until the further order of Court. The purchaser, however, may anticipate the payments if he so desires.

☞ Possession will be given at once.

J. U. BURGES, Special Commissioner.

V. CLIFFORD BEAMON AGAINST WILLIAM S. BEAMON.

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond as required under a decree of sale in the above styled cause, entered on the 20th day of December, 1898, has been executed with security deemed sufficient by me.

Given under my hand this 20th day of December, 1898.

A. P. GOMER, CLERK.

Sold to W. B. Parker
for $1000.00
J. MacCallum
Auct

15.00
14.40
29.40

In the Circuit Court of the County of Nansemond:

Beamon vs. Beamon et al.

To the Honorable Robert R. Prentis, Judge of said Court:

The undersigned Special Commissioner begs to report that as authorized by the last decree entered in this cause he has sollected the entire purchase price of the real estate sold in this suit, has executed a deed to the purchser of said real estate, and has distributed the proceeds of sale among the parties entitled thereto, and returns herewith the following account of distribution:

To proceeds of sale of real estate,	$1005.00	
By writ tax and taxed atty's fee,		$16.50
By amt. paid A. P. Gomer, Clerk,		7.97
By amt. paid A. H. Baker, Sheriff,		1.00
By amt. paid W. J. Kilby, Commissioner,		20.00
By amt. paid J. W. Hosier, Auctioneer,		10.00
By amt. paid J. E. Booker for advertising,		6.00
By amt. paid for taxes,		14.38
By fee allowed by decree,		35.00
By commissions retained,		29.10
By fee for deed and revenue stamps,		10.74
By amt. paid Alida Beamon,		284.77
By amt. paid Alida Beamon, Gdn. of W. S. Beamon,		284.77
By amt. paid Alide Beamon, Gdn. of S. K. Beamon,		284.77
	$1005.00	$1005.00

Your Commissioner returns herewith a certificate of R. R. Smith, Clerk of Nansemond County Court, showing that Alida Beamon has qualified as guardian of the infant defendants. The sureties on the bond of the said Alida Beamon are John B. Norfleet, R. J. Norfleet and Walter W. Ballard, who are represented as owning real estate, unencumbered, worth at least $4000.00, which is the amount of the said bond.

Your Commissioner deemed the security sufficient and hence paid the money to the guardian, the same being under $300.00.

Respectfully submitted,

W. L. Curry
Special Commissioner

1903

Feb. 6. Filed.

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

V. Clifford Beamon
Against } In Chancery
William S. Beamon &als.

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

In pursuance of the decree pronounced by Your Honor in vacation on the 22d. day of November 1898 in the cause in Chancery in the Circuit Court for the County of Nansemond pending between V. Clifford Beamon Complainant, and William S. Beamond and others Defendants, the undersigned, Wilbur J. Kilby, one of the Commissioners in Chancery of said Court, respectfully reports to Court as follows:

That on the 28th. day of No=

vember 1898, after the papers in said cause had been placed in his hands by Counsel for said Complainant with the request that he proceed to execute said decree. Your Commissioner gave notice to the parties to said cause that he would proceed on the 9th. day of December 1898 at his office in Suffolk, Virginia to make the several inquiries required by said decree to be made by one of the Commissioners of said Court;

That sufficient and legal service of said notice was duly accepted and acknowledged by the parties to said cause as will appear by the endorsations on the copies of said notice herewith returned;

That on the 9th. day of December 1898 Your Commissioner examined two witnesses, to wit. John B. Norfleet and Richard S. Beamon Jr. upon the subject

of said inquiries to enable him to reach a correct conclusion in the premises:

That the examinations of said witnesses are herewith returned:

That from the evidence thus furnished, Your Commissioner reports

1. That the real property in the Bill and proceedings in said suit mentioned can not be conveniently divided in kind among the parties entitled to shares therein.

2. That no one of the parties is either willing or able to take the said property and pay to the other parties for their shares such sums of money as they might be entitled to receive for such shares.

3. That the interests of those who own said property or are entitled to its proceeds, will be promoted by a sale of the entire property and distribution of the proceeds of the sale among the owners thereof ac-

cording to their respective rights.

4. That the fee-simple value of said property is eight hundred (800) dollars. And there are no liens of any kind upon it.

5. That there are no matters specially stated deemed pertinent by myself or required by any party to be so stated.

Respectfully submitted this 9th. day of December 1898.

Wilbur J. Kilby.
Commissioner in Chancery.

Commissioner's fee $20.00

To V. Clifford Beamon, Complainant

and

William S. Beamon and S. Kate Beamon, infants under the age of twenty-one years, and James L. McLemore, guardian ad-litem for said infants, Defendants

You are hereby notified that on the 9th. day of December 1898 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 Judge of the Circuit Court of Nansemond County, Va., rendered ~~the~~ in vacation on the 22 day of November 1898 in the suit in chancery pending in said Court to which you are parties plaintiff and defendants, to wit:

1. An account showing whether the real property in the bill and proceedings in said suit mentioned can be conveniently divided in kind among the parties entitled thereto according to their respective rights
2. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay to the other parties such sums as their interests therein may entitle them to.
3. If the same cannot be conveniently divided in kind and if no party will take the entire subject-matter and pay the others for their shares, whether the interests of those who are entitled to said property, or its proceeds will be promoted by a sale of the entire property or by allotment of part, and sale of the residue and distribution of the proceeds of the sale according to the respective rights of those entitled thereto.
4. The fee-simple value of said real estate and the liens thereon, if any.
5. Any other matters specially stated deemed pertinent by myself, or required to be so stated by any interested party.

Given under my hand, as Commissioner in Chancery of said Court, this 28th. day of November 1898

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted and acknowledged by me this 6th. day of December 1898

T. Clifford Bramon

To V. Clifford Beamon, Complainant

and

William S. Beamon and S. Kate Beamon, infants under the age of twenty-one years, and James L. McLemore, guardian ad litem for said infants, Defendants

You are hereby notified that on the 9th. day of December 1898 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 Judge of the Circuit Court of Nansemond County, Va., rendered ~~the~~ in vacation on the 22 day of November 1898 in the suit in chancery pending in said Court to which you are parties plaintiff and defendant S, to wit:

1. An Account showing whether the real property in the bill and proceedings in said suit mentioned can be conveniently divided in kind among the parties entitled thereto, according to their respective rights.
2. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay to the other parties such sums as their interests therein may entitle them to.
3. If the same cannot be conveniently divided in kind and if no party will take the entire subject-matter and pay the others for their shares, whether the interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property or by allotment of part and sale of the residue and distribution of the proceeds of the sale according to the respective rights of those entitled thereto.
4. The fee-simple value of said real estate and the liens thereon, if any.
5. Any other matters specially stated deemed pertinent by myself or required to be so stated by any interested party.

Given under my hand, as Commissioner in Chancery of said Court, this 28th. day of November 1898

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted and acknowledged by us this 29th. day of November 1898.

Jas L McLemore
Guardian ad litem.

William L. Beamon.
L. Katie Beamon.

Virginia:
In the Circuit Court for the County of Nansemond.

V. Clifford Beamon

Against } In Chancery

William S. Beamon &al.

The depositions of John B. Norfleet. Richard H. Beamon Jr. and others taken before me. Wilbur J. Kilby. a commissioner in Chancery of the Circuit Court for the County of Nansemond at the office of said Commissioner in the Town of Suffolk on the 9th. day of December 1898 to be read as evidence in behalf of the Complainant in a suit in equity depending in the said Court between V. Clifford Beamon Complainant. and William S. Beamon and others. Defendants.

Present, no counsel for either the Complainant or the

defendants.

The witness. John B. Moffett being duly sworn deposes and says as follows:

Q. 1. What is your age, occupation, where do you live and do you know the parties to this suit?
Ans. I am 32 years of age, am a merchant, reside in Suffolk and I know all the parties to this suit. I am their uncle, their mother being my sister.

Q 2. In the Bill in this suit it is stated that the parties to this suit are joint owners of 160 acres of land in Sleepy Hole Magisterial District in said County, given to them by their grand-father, the late Richard H. Beamon Sr. and bounded by the lands of Richard H. Beamon Jr. Alex. Savage & Benj M. Bruce, Please state whether you are

familiar with said land and whether or not it can be conveniently divided in kind between the owners according to their respective rights, or whether any one of the owners will take the entire parcel and pay to the others in money the value of their shares, or whether the interests of the owners will be promoted by a sale of the entire parcel, or allotment of part of it and sale of the remainder and distribution of the proceeds of the sale among the parties according to their respective rights?

Ans. Yes. I am familiar with said land - have known it for 20 years and have been over it many times.

I am satisfied that it could not be conveniently divided in kind. Only about 40 acres are cleared land and the remainder is woodland low and wet, unfit for cultivation if cleared. There is a dwelling

on it in poor condition, while the outhouses are almost worthless. There have been no repairs during the past 16 years. There being three share-holders it is plain to me that each owner could not be given an equal portion of like kind of land that would be of any use to him or her for farming purposes; and the place is of no value except for farming purposes. No one ~~of the~~ of the owners is ~~able~~ willing to take the entire land, or any part of it and pay the others such sums of money as their interests would entitle them to. In fact, they have no money for investment nor for any other purposes and, therefore, are not able to buy any part of the land. I am familiar with their needs and conditions and know that they need money for their maintenance and education, Katie for her also. It would not be wise, nor to

the advantage of the owners to allot any part of the land to any one or more of them and sell the remainder, for such remainder's value would be imperiled and a sale of it be doubtful, while the part ~~allotment~~ allotted would be of no service to those to whom it might be assigned.

There is no doubt but that the interests of the owners would be promoted by a sale of the whole parcel and the distribution of the money among them to be used for their maintenance, schooling and clothing. V. Clifford Beamon, one of the owners, is 24 or 25 years of age and in exceedingly bad health. He is at Las Vegas, New Mexico, where he was forced to go in search of better health and is at considerable expense. He needs the money from his share of the land. E. Kate Beamon is another part-owner, 17 years old, and just at that age when she

needs the money for her share of the land to meet her expenses. For a number of years no rent was gotten from the land. It is rented now for $75. per year, but after paying taxes & expenses this income is reduced to an insignificant sum. Its fee-simple value is not over $800. There are no liens on the land, and all taxes ~~are~~ have been paid.

And further this deponent says not.

John B. Norfleet.

The witness, Richard H. Beamon Jr., being duly sworn, deposes and says as follows:

Q. 1. What is your age, occupation, where do you reside, and do you know the parties to this suit?

Ans. I am 37 years of age, am

a farmer. reside in Hanse-mond County, and know all the parties to this suit. I am their uncle, being their fathers brother.

Q. 2. In the Bill in this suit it is stated that the parties to this suit are joint-owners of 160 acres of land in Sleepy Hole Magisterial District in said County, given to them by their grand-father, the late Richard H. Beamon Sr. and bounded by the lands of your-self, Alex Savage and Benja. M. Bruce.

Please state whether you are familiar with said land and whether or not it can be con-veniently divided in kind between the owners accord-ing to their respective rights or whether any one of the own-ers will take the entire parcel and pay to the others in money the value of their shares, or whether the interests of the owners will be promoted by a sale of

the entire parcel or allotment of part of it and sale of the remainder and distribution of the proceeds of the sale among the parties according to their respective rights?

Ans. Yes, I am familiar with the land - have known it all my life-time. It was a part of my father's farm and was given by his will to the parties to this suit who are his grand-children. It was cut off from his home farm, and the balance of the latter was given by him to me. I have been over the land hundreds of times and know all about it. It is said to contain 160 acres, but I think it contains not over 147 acres. Only a small part of it - not over 1/4 - is in cultivation. The balance is boggy or low wet woodland not fit for cultivation if it were

cleared up. The dwelling and outhouses have gone to ~~pie~~ pieces for want of proper care and attention & are of little value. A good deal of money would have to be spent on the buildings before they could be made habitable for the owners. who live in Suffolk and are not likely ever to return to the place again to live. Being familiar with the pecuniary conditions of the owners I can say that they have no money to spend on the farm and that the farm is constantly decreasing in value and if it continues to grow worse in condition as fast as it has heretofore. it will not be long before it will become an old abandoned place, not fit for to live in. The children have no money to keep it up, and will soon have to turn it out. It has rented for nothing for many years. but happens to be rented just at this time

for $75. This income is but a drop in the bucket towards the support and clothing of the children. In fact it is merely nominal after paying insurance, taxes and expenses. The land could not be divided in kind so as to give each owner his portion in ~~such~~ such shape, kind, and location as to be of any profit to him, or value for farming purposes. Each share would be too small. One of the owners is willing to take the land or any part of it and pay the others what would be the equivalent of the value of their shares. In fact, none of them wants to retain and has no use for it or any part of it. They live in Suffolk with their mother, will never return to the farm and have no use for it. The money from the sale of it will do them vastly more good. They have no money to invest in the purchase of shares

The health of Clifford is bad and he is now in New Mexico seeking to restore his health & needs the money from his share to meet his expenses. Katie goes to school & needs her share of money to pay her school expenses, board & clothing & Willie needs his share in money to pay his board and for his clothing.

I am therefore clearly of opinion that the interests of the owners would be promoted by a sale of the entire tract of land and distribution of the money among them to be used as their needs demand. In fact, I am surprised that steps were not taken long ago to sell the place when it was in better condition and would have sold for more, instead of waiting until now when the farm has been run down and is in bad condition generally and not likely to sell for any-

thing like as much. Its fee simple value now is not over $800. There are no taxes due on it nor are there any liens of any kind on it. As the number of acres is doubtful I would advise that it be sold in gross and not by the acre, if the court should see fit to order its sale

And further this deponent says not.

Richard H. Beamon Jr.

Virginia:

County of Nansemond, to wit:

I, Wilbur J. Kilby, a commissioner in Chancery of the Circuit Court for the County aforesaid in the State of Virginia, do certify that the foregoing depositions of John B. Ironfleet and Richard H. Beamon Jr., were duly taken, sworn to, and subscribed

before me, at the time and place and for the purposes therein mentioned.

Given under my hand this 9th. day of December 1898.

Wilbur J. Kilby.
Commissioner in Chancery

Beamon, T. C.

vs. } In Chy.

Beamon et al.

Report under decree of 22d. November 1898

1898 Decr 10th Filed
A. P. Gomyack

In the Circuit Court of the County of Nansemond: in vacation, on the 8th day of March 1899. -

Beamon vs Beamon et al -

This cause came on this day to be again heard with the consent of all parties, hereto for entered of record, making this a vacation cause, and there appearing Alida Beamon and John B. Norfleet, who suggested to the court that U. Clifford Beamon, the plaintiff in this cause, has departed this life, and ~~procured~~ filled the last will and testament of the said U. Clifford Beamon, deceased, duly probated in Nansemond County Court, by which said will Alida Beamon is made his sole devisee, and John B. Norfleet having qualified as his administrator with will annexed, on motion of the said Alida Beamon and John B. Norfleet, administrator, it is ordered that this suit be hereafter proceeded with and revived in the name of Alida Beamon, and John B. Norfleet administrator with will annexed of U. C. Clifford Beamon deceased as complainants ~~and that said parties named shall~~

~~Between the plaintiffs to the said~~
in the place and stead of H. Clifford
Beamon deceased-
And this cause coming on to be
heard upon the papers formerly read,
and upon the report of sale of the
real estate in the bill and proceedings
mentioned, made by D. H. Burgo. Special
Commissioner on the 9th day of January
1899. this day filed, to which report
there is no Exception, and was
argued by counsel: on consideration
whereof, the court doth approve and
confirm said report, and doth order,
adjudge and decree that D. H. Burgo
who is hereby appointed a special
Commissioner for the purpose,
shall upon the payment in cash
of the entire purchase price
~~paid~~ therefor, convey by a good and
sufficient deed with special
warranty W. D. Downes,
unto the purchaser
as reported, the said tract of land
known as the "John R. Beamon"
farm, containing one hundred and
sixty acres more or less, located

in Sleepy Hole Magisterial district - in Nansemond County, and bounded by the lands of Richard Beamon, B. M. Bruce, and Colonel Alexander Savage - And upon the payment of the purchase price of the land as aforesaid, the said D. U. Burgess, Special Commissioner is authorized and directed, after the payment of the costs and expenses of sale and of this suit; together with all taxes that may be assessed against said property, including a fee to counsel who instituted this suit - and now prosecutes the same of $30. - x/x, to distribute - the residue of the purchase money among the several parties entitled thereto or to their legally qualified ~~persons~~ ~~or~~ guardians (the amount coming to any one of the infants being less than $300 00/100) so soon as they shall have first - satisfied this court that they have given bonds in sufficient penalties and with sureties sufficient for the security - of the same,

taking their receipts therefor and filing the same in these papers. And the said commissioner is directed to report his proceedings hereunder to court.

Robt R Ellis

To the Clerk of the Circuit Court of Nansemond County.

or acknowledge due and sufficient service of Notice of the application for the within decree and consent that the papers in this cause may be submitted to the Judge of the Circuit Court in vacation.

Jas. L. McLemore. Guardian
ad litem for Infants.

Enter Mar. 8, 1899.
A. A. Pugh
Entered in Chancery Order Book No 3 Page 198

Release on
15 } Bonds
Release on

Circuit Court of Nansemond County, in vacation, on the 20th. day of December 1898.

N. Clifford Beamon

against

William S. Beamon et al.

This day this cause came on again to be heard by consent, upon the papers formerly read, and upon the report of Commissioner Wilmer H. Riley, filed December 10th 1898, to which no Exception has been taken, and was argued by Counsel.- On consideration whereof, and it appearing to the Court that the land in the bill described, cannot be conveniently divided in kind, and that it would be to the interest of all parties, that the land in the bill and proceedings mentioned be sold, doth adjudge, order and decree, that R. Burgess, who is hereby appointed a Special Commissioner for the purpose, do proceed after fifteen days public notice of the time and place of sale, by hand bills posted and cried in five or more public places in the County of Nansemond, and by advertisement in some newspaper published in said County to sell the real estate aforesaid consisting of a tract of land of about 160 acres, known as the John R Beamon farm in Shiloh Magisterial district, Nansemond County, Virginia, at public auction, in front of the Court House of the County of Nansemond, on some court day, on the following terms, to wit: one third cash, one third on a credit of twelve months, and the residue on a credit of two years from the day of sale; the credit instalments to bear interest from the day of sale; taking from the purchaser bonds with good personal security for the deferred payments and the title to be retained until the further order

of the court. But the purchaser of said real Estate shall have the right to anticipate said payments if he may so desire. But before the said Special Commissioner shall proceed to act hereunder he shall enter into a bond before the Clerk of this Court in the penalty of $1200.00 conditioned for the faithful Execution of this or any future decree that may be herein entered, and whose security to be approved by the said Clerk.

Robert R. Ellis.

To the Clerk of the
Circuit Court of
Nansemond County.

Recd on
75 } Rend
Recd on Star

Endn. Dec 20, 1898
William Shields.

Entered in Chancery
Order Book No 3
Page 183.

Circuit Court of Nansemond County, in Vacation, on the 22nd day of November 1898.—

T. Clifford Beamon

vs.

William S. Beamon and S. Hale Beamon, infants.—

This day this cause which has regularly matured at rules, and by consent of all parties plaintiffs and defendants came on to be heard upon the bill and exhibits filed, answer of J.L. Mahmon Guardian ad litem for the infant defendants, regularly appointed at rules, with general replication thereto, and was argued by counsel—

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

1. Whether the real property in the bill and proceedings mentioned can be conveniently divided in kind among the parties entitled thereto, according to their respective rights

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

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

4 The fee simple value of said real estate, and the liens thereon, if any.—

Which said several enquiries the said Commissioner shall make and to the court report, together with any other matters specially stated deemed pertinent by himself, or required to be so stated by any interested party.—

Beaucoup
vs
Decree.
Beaucoup et al

Enter 22, Nov. 1898 -

Robert D. Lewis

Entered in Chancery
Order Book
No 3 Page 184.

To the Clerk of the
Circuit Court of
Pearl River County.

Robert D. Lewis.

In V. Clifford Beamon and J. H. Mahmon Guardian ad litem for William S. Beamon and S. Hale Beamon Jointly consent that the Chancery cause of V. Clifford Beamon versus William S. Beamon and S. Hale Beamon may be submitted to the Judge of the Circuit Court of Nansemond County, in Vacation for such decision and decree therein in vacation as might be made in term —

J. H. Mahmon Guardian
ad litem for Infants.
V. Clifford Beamon.

In Vacation: Circuit Court of Nansemond County on the 22nd. day of November 1898.

By consent of parties here entered of record it is ordered that the above styled cause be submitted to the judge of this Court for such decision or decree therein in vacation, as might be made in term.

Robert R. Ellis.

To the Clerk of the
Circuit Court of Nansemond County.

Beaumont
vs
Police
Beaumont et al

Enter Nov. 22, 1898

Robert R. Ellis.

Entered in Chancery
Order Book
No 3 Page 180.

State of Virginia:

Nansemond County-

In the name of God. Amen I. Richard H. Beamon being of sound and disposing mind and memory and considering the uncertainty of this mortal life do make and declare this my last will and testament, in manner and form following-

Item I I. give to my son Thomas N. Beamon ($10.00) Ten dollars in cash and I loan to my son Thomas and his wife Lucy S. Beamon the farm on which they now live during their lives- said farm extends to the Corbett farm It is my will that this — N. Beamon wife shall not be deprived of the above interest on account of any debt or debts contracted previously or may be contracted hereafter

Item II I. give my mill property, Gin, packer, and all things appertaining to mill and Gin to Lucy S. Beamon in fee simple

Item III At the death of Thos. N. Beamon and Lucy S. Beamon.

without a lawful heir I desire that the farm loaned to J. R. Beamon and his wife Lucy, to be equally divided among all of my grand children then living.

Item IV The grave yard as bounded by a ditch, and the right of way thereto I reserve for all time to come and none but Blood Relations are to be buried therein.

Item V The farm on which my son Jno R. Beamon lived and died I give to his children Clifford Williams S. and Katie Beamon and loan to Alida Beamon the widow of Jno. R. Beamon the house and lot in the town of Suffolk on which she lives as long as she remains the widow of Jno R. Beamon, in the event of her marriage or death the house and lot will be divided among her children Clifford Williams S. and Katie Beamon.

Item VI I give to my son Richard H. Beamon Jr the farm on which I live and to his heirs forever I also give him my secretary

Book case and all of my books of whatever kind.
I give him a silver watch which was my fathers I give him the oil paintings, Piano, pier table and looking glass in the parlor. This includes the store property. I give my Gray horse to his wife Molly Beamon. with the request that she will care for him and treat him kindly
Item VII I wish the remainder of my household and kitchen furniture to be valued at a reasonable price and, if my son Richard H see fit, he can take it at ~~that~~ price otherwise is to be divided equally between him Lucy S. Beamon and the children of Jno R. Beamon dec'd
Item VIII after the payment of all my lawful debts I wish the residue of my property to be divided as follows viz. One third to Lucy S. Beamon to be paid into her hands or to any person she may designate = One third to the children of Jno R. Beamon dec'd

and the balance to Richd H Bea-
mm Jr.

Signed and sealed Richd. H. Beamm (SEAL)
this 6th day of June
1891 in the presence
of these witnesses
W. T. Jordan
H. T. Phillips
Jas. E. Jordan.
Virginia

At a County Court held for the County of Nansemond at the Court house in the town of Suffolk on Monday August the 10th A D 1891.

The last will and testament of Richard H. Beamm Senior late of this County deceased was this day produced in Court and proved according to law by the oaths of W. T. Jordan H. T. Phillips and James E. Jordan the subscribing Witnesses thereto and is ordered to be recorded.

And on the motion of Richard H Beamm Junior and Edward E. Heeland who made oath according to law and together

with William H. Jones Jr
Charles E. Hazard and Thomas
N. Beamon and Lucy S. Bea-
mon their sureties (who justified
on oath as to their sufficien
cy) entered into and ac-
knowledged a bond in the
penalty of fifteen thousand
dollars conditioned as the law
directs certificate is granted
them the said Richard H.
Beamon Jr and Edward E.
Hazard for obtaining
letters of administration
on the estate of the said Rich-
ard H Beamon Senior deceased
with his will annexed
in due form there being
no executor named in said
will And it is ordered
that said bond be recorded
in the manner prescribed
by law.

Teste; R. R. Smith Clerk
By A. P. Gomez D.C.

A Copy Teste:
R R Smith Clerk

R. H. Beamon

will

A Copy.

I Virginius Clifford Beamon considering the uncertainty of life, do make this my last will and testament, hereby revoking all former wills by me at any time made.

I desire that all my just debts be paid as soon after my decease as conveniently may be, and to that end I charge my whole estate, real and personal with the same. After the payment of my funeral expenses just debts etc. I do hereby give, devise and bequeath all my real and personal estate wheresoever situate, and of whatsoever nature or kind to my mother Alida Beamon and her heirs forever.

Witness my hand and seal this 14th. day of November 1898.

Virginius Clifford Beamon (Seal)

Signed and published by Virginius Clifford Beamon as and for his last will, in the presence of us, who in his presence, and in the presence of each other, have hereunto subscribed our

names as witnesses.

P. T. Cohoon.
R. S. Stultz.

Virginia:

At a County Court held for the County of Nansemond at the Court House in the town of Suffolk on Monday the 13th day of February 1899.

The last will and testament of Virginius Clifford Beamon late of this County, deceased, was this day produced in Court and proved according to law by the oaths of P. T. Cohoon and R. S. Stultz the two subscribing witnesses thereto and is ordered to be recorded. And on the motion of John B. Norfleet, who made oath as the law directs, and together with Robert J. Norfleet, his surety, (who justified on oath as to his sufficiency) entered into and acknowledged a bond in the penalty of Six hundred (600) dollars, with condition according to law, certificate is granted him, the said John B. Norfleet, for obtaining letters of administration

on the estate of said Virginia Clifford Beamon, deceased, with the last will and testament of said deceased annexed in due form. And it is ordered that said bond be recorded as prescribed by law.

A Copy
Teste: R. F. Smith Clerk

Virginius Clifford
+ Beamon's —

— Will —

A Copy

The joint answer of J. L. McLemore, guardian ad litem to the infant defendants William S. Beaman and S. Kate Beaman, and the answer of the said infant defendants by their said guardian ad litem to the bill of complaint exhibited against them in the Circuit Court of Rutherford County by W. Clifford Beaman

For answer to the said bill the said defendants by their guardian ad litem answer and say, that being of tender years they do not know what their true interest is in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interest to the protection of this court. And the said guardian ad litem to the said infants, 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 said infant defendants.

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

Wm S. and S. Kate Beaman, by.
J. L. McLemore, their guardian ad litem.

J. L. McLemore, Guardian ad litem for Wm S. & S. Kate Beaman.

Braun ou

vs. Cawson Edw. ad libem

Braun ou Cawson ad

To the Honorable R. R. Prentis, Judge of the Circuit-Court of Nansemond County-Virginia.

Your complainant V. Clifford Brannon respectfully represents the following case. That he together with William S. Brannon and S. Hale Brannon, the last two being infants under the age of twenty-one years are seized and possessed, as of an estate in fee simple, of a certain tract of land lying in Suffolk Magisterial district in this county near the intersection of the Norfolk and Carolina and Atlantic and Danville Railroads containing one hundred and sixty-acres more or less, bounded on the North and West by the lands of Richard Brannon, on the East by the lands of Colonel Alexander Savage and on the South by the lands of W. M. Bruce in all being the same on which John R. Brannon formerly resided. The said land was devised to them by their grandfather doctor Richard N. Brannon by his last will and testament, duly admitted to probat in the County Court of Nansemond County at the August term in the year 1891: an attested copy of said will is herewith filed marked "Exhibit A" and prayed to be taken and considered a part of this bill.

Your complainant believes that the said real estate is susceptible of partition in kind among the parties

entitled thereto, but if it be not then your Complainant desires the same to be sold, and the proceeds divided among the parties entitled thereto, according to their respective rights, the shares of said infants to be had according to the statute in such case made and provided. Should the property not be divisible in kind, your Complainant believes and has charges, that the interests of those who are entitled to the said real estate or the proceeds were to be produced by a sale of the whole of the said real estate, or by allotment of part and sale of the residue -

In tender consideration whereof, and forasmuch as your Complainant is remediless in the premises save by the aid of a court of Equity where matters of this kind are alone and properly cognizable your complainant prays that the said William S. Branon and S. Kate Branon may be made parties defendant to this bill, and required to answer the same, that a proper guardian ad litem be assigned those infant defendants to defend their interest in this suit; who is made also answer this bill; that proper process issue, that the said real estate be divided between the several parties entitled thereto, and your Complainants portion thereof be allotted to him, and in

case the said real Estate cannot be
partitioned and divided in Kind that
the same be exposed to sale, and the
proceeds of such sale be decided among
the parties entitled thereto; that all proper
orders and decrees may be made, and
Enquiries directed, and that all such
other further and general relief may
be afforded upon Complainant as the
Nature of his case may require or to
Equity may seem meet. Whereas is humbly
prays that the Court will be pleased
to allow reasonable fees to Plaintiff's
Counsel conducting this cause. And
your Complainant will ever pray &c.

J. L. Pearson P.Q.

V. Clifford Pearson

Beaumont
vs
Beaumont et ux.

Bill

Beamon
vs In Chancery
Beamon & others.

1898 Novr. 3rd. Process issued returnable to November rules first Monday. Guardian ad litem appointed for defts.

" " 7th. Process returned executed on defts. Bill filed and decree Nisi vs said defts.

" " 21st Decree nisi confirmed and cause set for hearing

Beamon
V. S. Chancery Notes
Beamon

[illegible]

Vs In Chancery

W B & S K Beamon

1903

February 6th

Final Decree

Costs
Clerk 6 72
Jay 1.50
Shff 1.00
atty 15.00
Com. 20.00
cekCo 1 25
Cmk
$45.47