

1909-031
Nansemond Co (Suffolk)

Chancery Causes: J. Edward Bidgood et al vs Joseph P. Bidgood et al

Druce, Carney, Hume, Nash

114

Bradford Kilby pg

To R. R. SMITH, Clerk Circuit Court of Nansemond County, Dr.

1907---

May
20th,

Tax ~~and~~ ~~Clerk Fees~~ in suit of J E Biagood & others
vs Joseph P Biagood & others

\$1.50

Paid

Aug 31/07

J M Maxfield ©
Clerk.



POSTAL CARD

THE SPACE BELOW IS FOR THE ADDRESS ONLY.

*Capt. A. P. Gomer,
Suffolk,
Virginia.*

1/13/09

Dear Capt. -

Please make up & send to me at once a statement of the Costs in the Chancery Suit of Bidgood v. Bidgood. In the Cost tax a fee of \$10.00 to Special Commissioner for executing deed by order of Court and allow for one more decree confirming Commissioners report which will be filed.

Very truly,
James H. Corlitt

 Ten per cent. will be Charged on all Collections Under \$100 Unless Special Agreement is made Otherwise.

R. E. NORFLEET, }
J. F. DeBERRY, } DEPUTIES.

Suffolk, Va. *Sept 26, 1907*

Mr Bradford Kilb

→ TO A. H. BAKER ←

SHERIFF OF NANSEMOND COUNTY,

J E Bragman with J P Bragman

OFFICE—No. 616 MAIN STREET (Up-Stairs).

Done
Sept 26 3 *Process*
4 *Process*

150
200
350

Paid
at H Baker
Sept 26

To the Clerk of the Circuit Court of Nansemond
County:

J. Edward Bidgood, Essie Druce (formerly
Bidgood) and W. D. Bidgood, the ~~two~~
last named being infants under the age
of twenty-one years who sue by said
J. Edward Bidgood, their brother and
next friend.

~~#~~

v.

Joseph P. Bidgood, Macon Bidgood,
Lovey Bidgood, and Berrie Carney
(formerly Bidgood)

Issue summons in Chancery to
rules third Monday in June 1907

Bradford Kilby, p. q.

Bedford
By
Bedfordshire

To the Clerk of the Circuit Court of Nansemond County:

J. Edward Bidgood, Essie Druce, (formerly Bidgood), and W. D. Bidgood, the two last named being infants under the age of twenty-one years who sue by said J. Edward Bidgood, their brother and next friend.

V.

In chancery.

Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood, and Bessie Carney (formerly Bidgood), Fairlie P. Nash, Trustee, and John N. Hume, Administrator of Sarah L. Hume.

Issue summons in chancery to rules third Monday in October 1907.

Pay \$1.50

Bradford Kilby p.q.

Braygood tocher
vs
Braygood tocher.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Joseph P Biagood
Macon Biagood Lovey Biagood and
Bessie Carney (formerly Biagood)

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 *June 1907*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *J Edward Biagood Essie Druce*

(formerly Biagood) and W D Biagood
the two last-named being infants under
the age of twenty-one year who sue
by said J Edward Biagood their brother
and next friend.

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *12th* day of
June, 1907, in the 13th year of the Commonwealth.

A copy—Teste :

Teste :

_____, CLERK. }

R R Smith, CLERK.
By J J Gomer D.C.

1907 June 14, Due, legal and sufficient service of the within
process is hereby acknowledged by me.

Macon Ridgord

Braxford Kelly, p. q.

A copy for
Macon Ridgord

VS.

IN CHANCERY.

1907

June Rules.
April Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 221

Virginia, In Vacation. In the Circuit Court of Nansemond County
September 23rd, 1907.

J. Edward Bidgood et als

v.

In Chancery.

Joseph P. Bidgood et als.

On motion of the complainants and for good cause shown, an injunction is awarded them to enjoin and restrain the defendants, Fairlie P. Nash, Trustee and John N. Hume, Administrator of Sarah L. Hume, their agents, attorneys and all other persons from proceeding to sell or directing to be sold the land of which James C. Bidgood died seised and possessed, and described in the bill in this cause as all that certain tract or parcel of land lying in Sleepy Hole Magisterial District in the County of Nansemond and State of Virginia, containing two hundred and eighty seven acres, more or less, bounded on the North by the lands now or formerly belonging to F. L. Jones; on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin; on the South by the lands now or formerly belonging to F. L. Jones, and on the West by the lands now or formerly belonging to L. D. Ames, or otherwise proceeding to collect by the sale of said land the one thousand dollars or any part thereof mentioned in the deed of trust given by James C. Bidgood and Priscilla, his wife, to Fairlie P. Nash, Trustee, on the 21st day of September, 1885, to secure to Sarah L. Hume the payment of the said sum of one thousand dollars, until the further order of this court; but the complainants are not to have the benefit of this order, until the adult complainant the said J. Edward Bidgood or some other person for him, shall enter into a bond with sufficient security in the penalty of \$500 dollars, payable to the Commonwealth of Virginia, and conditioned to pay all such costs as may be awarded against Complainants, and all such damages as may be incurred in case this injunction shall be dissolved.

A copy

Teste:

James L. M. Lemore

R. R. Smith Clerk

By A. P. Gomez, D.C.

I A P Gomer Deputy Clerk of the
Circuit Court of Harsement County
do hereby Certify that the bond required
by the within Order has been given with
Security deemed sufficient by ~~me~~ me.

Teste: A P Gomer Deputy
for R R Smith Clerk

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Joseph P Bidgood
Macon Bidgood Lavey Bidgood and
Bessie Lamey (formerly Bidgood) Fairlie
P Nash Trustee and John M Hume
Administrator of Sarah L Hume

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 *October 1907*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *J Edward Bidgood Essie Druce*
(formerly Bidgood) and W D Bidgood the two
last-named being infants under the age
of twenty-one years who sue by said
J Edward Bidgood their brother and
next friend.

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *23rd* day of
September, 19*07*, in the 13*th* year of the Commonwealth.

A copy—Teste :

Teste :

, CLERK. }

, CLERK.

R R Smith
By J G Homer S.C.

Executed this 26th Sept 1907, by delivering a true copy of the
 within process to Lorry Bidgood and Susan Bidgood in
 person. Joseph Bidgood, not being found at his usual
 place of abode. I delivered a true copy of the within process to
 Mrs Joseph Bidgood his wife a female member of the family
 over the age of 16 years, whom I found true and explained its purpose.
 Macan Bidgood not being found at his usual place
 of abode I delivered a true copy of the within process
 to Mrs Joseph Bidgood his sister a female member of the
 family whom I found true over the age of 16 years and
 to whom I explained its purpose.

A. S. B. W. H. S.
 Sheriff

Enacted hereby, p. q.

Edward Bidgood
 and others

VS.

IN CHANCERY.

Joseph, J. Bidgood
 and others

1907

Deceased Rules.

Third Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 41

Virginia: in Vacation, In the Circuit Court of Nansemond
County, September 23rd, 1907.

J. Edward Bidgood et als

v.

In Chancery

Joseph P. Bidgood et als.

On motion of the complainants and for good cause shown,
an injunction is awarded them to enjoin and restrain the de-
fendants Fairlie P. Nash, Trustee and John N. Hume, Administra-
tor of Sarah L. Hume, their agents, attorneys, and all other
persons, from proceeding to sell or directing to be sold the
land of which James C. Bidgood died seised and possessed, and
described in the bill in this cause as all that certain tract
or parcel of land lying in Sleepy Hole Magisterial District in
the County of Nansemond and State of Virginia, containing two
hundred and eighty seven acres, more or less, bounded on the
North by the lands now or formerly belonging to F. L. Jones;
on the East by the lands now or formerly belonging to J. S.
Wise, deceased, and John T. Griffin; on the South by the lands
now or formerly belonging to F. L. Jones, and on the West
by the lands now or formerly belonging to L. D. Ames, or other-
wise proceeding to collect by the sale of said land the one
thousand dollars or any part thereof mentioned in the deed of
trust given by James C. Bidgood and Priscilla, his wife, to
Fairlie P. Nash, Trustee, on the 21st day of September, 1885,
to secure to Sarah L. Hume the payment of the said sum of one
thousand dollars, until the further order of this court; but the
complainants are not to have the benefit of this order, until
the adult complainant, the said J. Edward Bidgood, or some
other person for him, shall enter into a bond with sufficient
security in the penalty of \$500. dollars, payable to the Common-

wealth of Virginia, and conditioned to pay all such costs as
may be awarded against Complainant and all such damages as may
be incurred in case this injunction shall be dissolved.

James L M Lemore

A copy

Teste:

R R Smith Clerk

By A J Gomer D.C

I A J Gomer deputy Clerk of the
Circuit Court of Hansemond County
do hereby Certify that the bond re-
quired by the above Order has been
given with security deemed sufficient
by me.

Teste:

A J Gomer deputy
for R. R. Smith Clerk

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,
Sergeant the City of Portsmouth
 TO THE ~~SHERIFF~~ OF NANSEMOND COUNTY Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Joseph P. Biagood
Macon Biagood *Looy Biagood* and
Bessie Canby (formerly Biagood) *Paulie*
P. Nash *Trustee* and *John N. Hume*
Administrator of Sarah L. Hume

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 *October 1907*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *J. Edward Biagood* *Essie Druce*
formerly Biagood and *W. D. Biagood* the last
named being infants under the age of
twenty-one years who sue by said *J.*
Edward Biagood their brother and next
friend

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *23rd* day of
September, 1907, in the 13*th* year of the Commonwealth.

A copy—Teste :

Teste :

, CLERK. }

, CLERK.

R. R. Smith
By J. P. Gomez D.C.

Bradford Kelly, p. q.

Edward Bigwood
and others

VS. } IN CHANCERY.

Joseph P. Bigwood
and others

1907

October Rules.

Third Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 41

Executed in the City of Portsmouth Virginia
on this 25th day of September 1907 by delivering
a true copy hereof to each David P. Nash, Trustee
and John W. Hume, ^{administrator} in person,
Winifred Smith Surgt of Portsmouth Va

Recd \$1.00 fee for service
Winifred Smith

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Joseph P. Bidgood
Macon Bidgood Lobery Bidgood
and Bessie Kearney (formerly Bidgood)

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 *June 1907*, to answer

a Bill in Chancery, exhibited against *them*

in the said Court by *J. Edward Bidgood Essie Druce*
(formerly Bidgood) and W. D. Bidgood the
two last named being infants under
the age of twenty one years who sue
by said J. Edward Bidgood, their brother
and next friend.

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this *20th* day of

May, 190*7*, in the 13*th* year of the Commonwealth.

A copy—Teste:

CLERK. }

Teste:

R. R. Smith, CLERK.

By J. A. Thomas D.C.

Executed this 24th day of May 1907 by delivering a true copy of the
within process, to Joseph P. Bidgood, Bessie Barry (formerly Bidgood)
and Lory Bidgood in person.
Mason Bidgood not found in my County.

J. M. B. Barry
Shuff

Bradford Kelly, p. q.

J. Ed. Bidgood
and others

IN CHANCERY.

VS.

Joseph P. Bidgood
and others

1907--

June Rules.
Thurs. Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 2

Page 321

Know All Men by These Presents, That we, *J Edward Bidgood and the National Surety Company of New York by J T Withers attorney in fact*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *Five Hundred* DOLLARS,

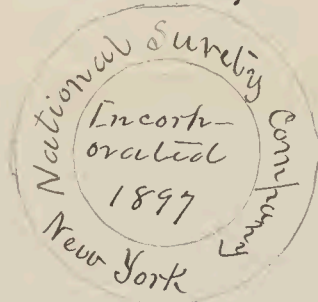
to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

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 Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said State.

~~Sealed with our seals, and dated this~~ day of ~~in the year~~
~~of our Lord one thousand nine hundred and~~, and in the ~~year of~~
~~the Commonwealth.~~

In Testimony Whereof, the said *J T Withers* has
hereto set his hand and seal, and the said *National Surety Company of New York*
has caused its corporate name to be hereto signed, and its
corporate seal to be hereto affixed, this *23rd* day of *September* in the year of our
Lord, one thousand nine hundred and *Seven*, and in the *132nd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if ~~the above bound~~ *Whereas an*
injunction is awarded against the defendants
Joseph P Bidgood & others their agents Attorneys and others in a
bill in Chancery filed in vacation in the Circuit Court of
Nansemond County in the cause between James Edward
Bidgood & others Complainants and Joseph P Bidgood & others Defend
ants enjoining the defendant Fairlie P Nash Trustee and John
McHume Administrator of Sarah L Hume, their attorneys, agents
and all others from proceeding to sell or directing to be sold the
land lying in Sleepy Hole Magisterial District in which J B Bidgood
deed seized and possessed until the further order of this Court.
But this injunction shall not take effect until the Complainant
J Edward Bidgood or some other person for him shall enter into a
bond with sufficient security in the penalty of \$500. payable
to the Commonwealth of Virginia and conditioned to pay all
such costs and damages as may be awarded against the
complainants and all such damages as may be incurred
in case this injunction shall be dissolved.



J Edward Bidgood
National Surety
Company of New York
by J T Withers atty in fact.

SEAL

SEAL

SEAL

SEAL

SEAL

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on the *23rd* day
of *September*, 190*7*:

The above bond was executed and acknowledged before me by the obligors to the same
(the security *being approved* justifying), and ordered to be recorded.

Teste:

A. J. Gomez D.C.

J Edward Beagood
To Injunction Bond
The Commonwealth.

1907

Sept-23rd

Recorded in Official
Bond Book No 2
Page 37.

A Copy.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

J. Edward Bidgood, Essie Druce (formerly Bidgood),
and W. D. Bidgood,

v.

REPORT OF SPECIAL COMMISSIONER:

Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood ,
Bessie Carney (formerly Bidgood), Fairlie P. Nash,
Trustee, and John N. Hume, Administrator for Sarah
L. Hume.

The undersigned, James H. Corbitt, appointed a Special
Commissioner in the above matter by a decree entered on the
16th day of December, 1908, respectfully reports to the
Court that he has in accordance with the said decree executed
a deed, with special warranty, to the said Joseph P. Bidgood,
conveying and relinquishing unto him for the consideration
of \$1.00 all the interest of every nature of the said J. Ed-
ward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood
in the lands in the proceedings mentioned, and has collect-
ed the \$1.00 consideration paid by the said Joseph P. Bidgood.
Your Commissioner attaches hereto a copy of said deed, and begs
that same be read as a part of his report.

Respectfully submitted,



Special Commissioner

THIS DEED Made this 17th day of December, 1908, between James H. Corbitt, Special Commissioner, as hereinafter mentioned, J. Edward Bidgood, Essie Druce and _____ Druce, her husband, and W. D. Bidgood, parties of the first part, and Joseph P. Bidgood, party of the second part-

WITNESSETH: That whereas on the 16th day of December, 1908 it was decreed and ordered by the Circuit Court of Hansemond County, Virginia, in a certain cause then depending on the Chancery side of the said Court between J. Edward Bidgood, Essie Druce (formerly Bidgood), and W. D. Bidgood, complainants, and Joseph P. Bidgood, Bacon Bidgood, Lavey Bidgood, Bessie Carney (formerly Bidgood), Fairlie P. Nash, Trustee and John W. Hume, Administrator for Sarah L. Hume, ^{who} respondents, that the said James H. Corbitt was thereby appointed a Special Commissioner for the purpose should execute a deed, with special warranty, to the said Joseph P. Bidgood conveying and relinquishing unto him for the consideration of One Dollar (\$1.00) all the interest of every nature of the said J. Edward Bidgood, Essie Druce, (formerly Bidgood), and W. D. Bidgood in the land in the proceedings mentioned, described as follows:

All that real-estate lying in Sleepy Hole Magisterial District in the County of Hansemond of which James C. Bidgood was in his life time seized and possessed, containing 287 acres, more or less, bounded on the North by the lands now or formerly belonging to F. B. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, on the South by the lands now or formerly belonging to F. B. Jones and on the West by the lands now or formerly belonging to L. D. Ames.

NOW THEREFORE for and in consideration of the premises and of the said sum of \$1.00 to him in hand paid by the said Joseph P. Bidgood agreeably to the terms of the said decreetal order, and before the sealing and delivery of this deed,

STATE OF VIRGINIA,

To-wit:

CITY OF NORFOLK.

I, _____, a Notary Public for the County aforesaid in the State of Virginia, do hereby certify that J. Edward Bidgood, whose name is signed to the writing hereunto annexed, bearing date the _____ day of December, 1908, has this day acknowledged the same before me in county aforesaid.

Given under my hand this _____ day of December, 1908.

My commission expires _____

Notary Public

STATE OF PENNSYLVANIA,

To-wit:

CITY OF PHILADELPHIA.

I, _____, A Notary public for in the City aforesaid in the State of Pennsylvania, do hereby certify that Essie Druce and _____ Druce, her husband, and W. D. Bidgood, whose names are signed to the writing hereunto annexed, bearing date the _____ day of December, 1908, have this day acknowledged the same before me in county aforesaid.

Given under my hand this _____ day of December, 1908.

My commission expires _____

Notary Public.

the receipt whereof is hereby acknowledged, the said James H. Corbitt, Special Commissioner as aforesaid, in order to make the said conveyance in pursuance of the said decreetal order, doth give, grant, bargain, sell, convey and relinquish unto the said Joseph P. Bidgood, his heirs and assigns forever, with special warranty, all the interest of every nature of the said J. Edward Bidgood, Essie Druce (formerly Bidgood), and W. D. Bidgood in the land hereinabove described, and the said J. Edward Bidgood, Essie Druce and _____ Druce, her husband, and W. D. Bidgood, also for and in consideration of the sum of \$1.00 to them in hand paid by the said Joseph P. Bidgood doth give, grant, bargain, sell, convey and relinquish unto the said Joseph P. Bidgood, his heirs and assigns forever, with special warranty, all their interest of every nature in the land hereinabove described.

Witness the following signatures and seals.

Special Commissioner. (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF VIRGINIA,
COUNTY OF NANSEMOND.

To-wit:

I, _____, a Notary public for the County aforesaid in the State of Virginia, do hereby certify that James H. Corbitt, Special Commissioner, whose name is signed to the writing hereunto annexed, bearing date the _____ day of December, 1908, has this day acknowledged the same before me in county aforesaid.

Given under my hand this _____ day of December, 1908.

My commission expires _____

Notary Public.

J. Edward Bidgood et al's
v.

Joseph P. Bidgood et al's

Report of
James H. Corbitt,
Special Commissioner

Filed Feby. 18, 1909

Virginia, In Vacation, In the Circuit Court of
Nansemond County, September 23rd 1904.

J. Edward Bidgood et als.

v.

In Chancery.

Joseph P. Bidgood et als

On motion of the complainants, ~~by counsel~~ and for good cause shown, an injunction is awarded them to enjoin and restrain the defendants, Fairlie P. Nash, Trustee and John N. Hume, Administrator of Sarah L. Hume, their agents, attorneys, and all other persons, from proceeding to sell or directing to be sold the land of which James C. Bidgood died seised and possessed, and described in the bill in this cause as all that certain tract or parcel of land lying in Sleepy Hoe ^l Magisterial District in the County of Nansemond and State of Virginia, containing two hundred and eighty-seven acres, more or less, bounded on the North by the lands now or formerly belonging to F. L. Jones; on the East by the lands now or formerly belonging to J.S. Wise deceased, and John T. Griffin; on the South by the lands now or formerly belonging to F. L. Jones, and on the West by the lands now or formerly belonging to L.D. Ames, or otherwise proceeding to collect by the sale of said land the one thousand dollars or any part thereof mentioned in the deed of trust given by James C. Bidgood and Priscilla, his wife, to Fairlie P. Nash, ^a Trustee, on the 21st. day of September, 1885 to secure to Sarah L. Hume the payment of the said sum of one thousand dollars, until the further order of this court; but the complainants are not to have the benefit of this order, until the adult complainant, the said J. Edward Bidgood, or some other person for him, shall ~~give~~ enter into a bond with sufficient security in the penalty of \$500, dollars, payable to the Commonwealth of Virginia, and conditioned to pay all such costs ^{as may be awarded against complainants, and all such damages} ~~and damages as may be sustained in consequence of said~~ ^{as may be incurred in case this injunction shall be dissolved.} ~~injunction, in case the same shall be dissolved.~~

James S. L. Lomax

To the Clerk of the
Circuit Court of Nan-
semond County.

Enter
September 23, 1907
James S. McEmore

Entered in Chancery
Order Book No 4
Page 176.

James S. McEmore
Witnessed and sealed at
the City of New York

Virginia, Invocation,

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, *December*
16th 1908

J. Edward Bidgood, Essie Druce (formerly Bidgood),
and W. D. Bidgood,

v.

Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood,
Bessie Carney (formerly Bidgood), Fairlie P. Nash,
Trustee, and John N. Hume, Administrator for Sarah L.
Hume.

This cause came on this day to be heard ^{*in vacation*} on the original bill filed by the complainants against the defendants, Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood), the answer to said bill of Joseph P. Bidgood prayed by him to be treated as a cross-bill, which said answer prayed to be treated as a cross-bill is, by consent of all parties, treated as duly filed, and the Court doth appoint H. Stuart Lewis, a discreet and competent attorney at law, as guardian ad litem for the infant defendant W. D. Bidgood to represent his interest in this suit, and thereupon the said guardian ad litem filed his answer to said cross-bill for the infant defendant thereto, W. D. Bidgood, upon the answer of said guardian ad litem, the answer of Essie Druce, who was an infant at the time the said cross-bill was filed but has attained the age of twenty-one years before filing her answer, J. Edward Bidgood and W. D. Bidgood, an infant over the age of fourteen years, in their own proper persons this day filed, the amended and supplemental bill filed by the complainants against the defendants Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood, Bessie Carney (formerly Bidgood), Fairlie P. Nash, Trustee and John N. Hume, Administrator of Sarah L. Hume, which said amended and supplemental bill is taken for confessed as to the defendants Fairlie P. Nash, Trustee and John N. Hume, Administrator of Sarah L. Hume, these defendants having failed to plead, answer or demur, the answer of Macon Bidgood,

Lovey Bidgood and Bessie Carney (formerly Bidgood) to the original bill of complaint and the amended and supplemental bill of complaint, and upon replications to all of the hereinabove mentioned answers, and was argued by counsel.

ON CONSIDERATION WHEREOF, ^{in writing} the adult parties having consented to the entering of this decree, it appears to the Court that under and by reason of the said certain instrument in writing, dated _____ day of November, 1904, and signed by J. C. Bidgood, a copy of which is filed, Marked "Exhibit A", as a part of the answer and cross bill of the defendant Joseph P. Bidgood, the complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, and the defendants Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood) have no equity or rights of any nature in the property in the proceedings mentioned, and have never had any, and the complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood are not entitled to have same partitioned and the Court doth so decree.

And it further appearing to the Court that the defendants Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood) along with Grace Bidgood, wife of Macon Bidgood, and J. R. Carney, husband of Bessie Carney, have, pursuant to the aforesaid instrument of writing, signed by J. C. Bidgood, executed a deed conveying and relinquishing to the defendant Joseph P. Bidgood all their interest of every nature in the property in the proceedings mentioned, the Court makes no further order as to them, and it appearing to the Court that the complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood have not, nor have either of them, executed a deed conveying and relinquishing to the defendant Joseph P. Bidgood all their interest of every nature in the property in the proceedings mentioned, ~~xxx~~ the Court doth decree that James H.

Corbitt, who is hereby appointed a Special Commissioner for the purpose, do forthwith execute a deed with special warranty to the said Joseph P. Bidgood conveying and relinquishing unto him for the consideration of One Dollar, (\$1.00), all the interest of every nature of the said J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood ^{in the land} in the proceedings mentioned described as follows:

All that real-estate lying in Sleepy Hole Magisterial District in the County of Nansemond of which James C. Bidgood was in his life time seized and possessed, containing two hundred and eighty-seven acres, more or less, bounded on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, on the South by the lands now or formerly belonging to F. L. Jones, and on the West by the lands now or formerly belonging to L. D. Ames; and the said Special Commissioner will report to Court.

And the Court doth further adjudge, order and decree that the injunction heretofore granted in this cause restraining the defendants Fairlie P. Nash, Trustee, and John N. Hume, Administrator of Sarah L. Hume, their attorneys, agents and all other persons from proceeding to sell or directing to be sold the land hereinabove described, be, and the same hereby is, dissolved.

All which is hereby certified to the Clerk of this Court to be entered in the Chancery order book.

James S. McInnerey

We consent to the entering of the within decree

J. Edward Bidgood

Essie Druce

J. Edward Bidgood
Essie Druce

W. D. Bidgood by

J. Edward Bidgood

J. Edward Bidgood

his next
friend.

W. D. Bidgood

W. D. Bidgood

Guardian ad
Litem for W. D. Bidgood, infant.

Joseph P. Bidgood

Marion Bidgood

Lovey Bidgood

Bessie Carney

Fairlie P. Nash

John L. Hume

Joseph P. Bidgood
Marion Bidgood

Lovey F. Bidgood

Bessie Carney

Fairlie P. Nash

Trustee.

John L. Hume

Administrator
of Sarah L. Hume.

J. Edward Bidgood et als

v.

Joseph P. Bidgood et als

Decree

Entis. December 16, 1908.

James S. McInnere

Entered in Chancery
Order Book No. 4-

Page 298.

James H.
MCINNERE & CORBITT
ATTORNEYS AT LAW
SUFFOLK, VA.

Jewell & Co., Phila.

J. Edward Bidgood, et als.

v.

DECREE:

Joseph P. Bidgood, et als.

By consent of plaintiff and defendants in this cause, in person, by counsel and by next friend, in term time entered of record, it is hereby ordered, adjudged and decreed that this cause be submitted to the Judge of this Court for such decision and decree, judgment or order therein in vacation as might be made in term.

Bidgood & als.

vs. } Decease

Bidgood & als.

Enters. July 31. 1908

James S. McInnis

Entered in Chancery
Order Book No. 4.

Page 269

J. Edward Bidgood
vs.
Joseph P. Bidgood Decease

~~We~~ consent to the within
decease
Joseph P. Bidgood by
D. H. Lewis his atty.

We consent to this.

J. Edward Bidgood
W. D. Bidgood by
~~E. J. Edward~~

Bidgood his next friend

Essie Dence by

J. Edward Bidgood
his next friend

Bradford Kilby & O. L. Shackelford
counsel for above named parties.
Mason Bidgood

Louise F. Bidgood
Bessie Carney.

~~IN THE CIRCUIT COURT OF HANSHAMPTON COUNTY~~

J. Edward Bidgood, Essie Druce (formerly Bidgood)
and W. D. Bidgood,

v.

IN CHANCERY.

Jos. P. Bidgood, Nacon Bidgood, Levey Bidgood
and Bessie Carney (formerly Bidgood).

It appearing to the Court that the answer of the defendant Jos. P. Bidgood, heretofore filed, fails to show thereon when same was filed, it is hereby ordered, adjudged and decreed, by agreement of counsel for plaintiffs and counsel for said defendant, that the said answer was and is filed as of date, the 7th day of November, 1907.

Bidgood
v. } Decree
Bidgood

Enter 3rd day of
Feby. 1908

Miss McMahon,

Entered in Chancery
Order Book No. 4.
Page 225.

We consent to this decree
Bradford Kilby, Counsel for Plaintiff
James H. Conitt Counsel
for Joseph P. Bidgood

IN THE CIRCUIT COURT OF NANSEMOND COUNTY IN VACATION ON THE
18th DAY OF February, 1909.

J. Edward Bidgood, Essie Druce (formerly Bidgood),
and W. D. Bidgood,

v.

DECREE:

Joseph Bidgood, Macon Bidgood, Lovey Bidgood,
Bessie Carney (formerly Bidgood), Fairlie P. Nash,
Trustee, and John N. Hume, Administrator for Sarah
L. Hume.

This cause came on this day to be heard ^{by consent of all parties in writing,} on the papers
formerly read, the report of James H. Corbitt, Special
Commissioner ^{filed February 18th 1909}, reporting execution of a deed to Joseph P.
Bidgood in accordance with the decree hereinbefore entered,
and was argued by counsel.

ON CONSIDERATION WHEREOF the Court doth confirm the said
report, and it is so ordered.

It is further ordered, adjudged and decreed that the
said James H. Corbitt, Special Commissioner, retain as part
compensation for his services the \$1.00 reported as in his
hands and that he is allowed an additional fee of \$10⁰⁰,
for his said services as Special Commissioner, to be taxed
as a part of the costs in these proceedings.

It is further ordered, adjudged and decreed that the
costs in these proceedings, including the fee of the Special
Commissioner above allowed, shall be paid by the complainants,
J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D.
Bidgood.

And nothing further remaining to be done it is ordered
that this cause be removed from the docket.

*All which is hereby certified to the Clerk of the Court
to be entered in the Chancery order book.*

James L. W. Moore,

We consent to the within decree.

James Bidgood
W. D. Bidgood

Essie Prince

Mason Bidgood
Lovey F. Bidgood
Bessie Barnes

Jos. P. Bidgood
Jos. L. Hume
Fannie P. Nash

J. Edward Bidgood
W. D. Bidgood

By *J. Edward Bidgood*
His next friend.

Essie Prince
Mason Bidgood

Lovey F. Bidgood

Bessie Barnes

H. Stuart Sewin
Guardian Ad Litem for W. D.
Bidgood.

J. P. Bidgood
Prof. Hume
Administrator of Sarah L. Hume.

Fannie P. Nash
Trustee.

J. Edward Bidgood et als

v.

Joseph O. Bidgood et als

Decree

Enter February 18, 1909.

Wm. L. Lomore

Entered in Chancery
Order Book No. 4. Page 322.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

J. Edward Bidgood, Essie Druce (formerly Bidgood)
and W. D. Bidgood,

v.

Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood,
Bessie Carney (formerly Bidgood), Fairlie P. Nash,
Trustee, and John N. Hume, Administrator for Sarah L.
Hume.

The separate answer of W. D. Bidgood, an infant under the age of twenty-one years, by H. Stuart Lewis, his guardian ad litem appointed to defend him in this suit, to the answer and cross-bill filed against him and J. Edward Bidgood and Essie Druce, (formerly Bidgood) in the Circuit Court of Nansemond County by Joseph P. Bidgood.

This respondent reserving to himself the benefit of all just exceptions to the said answer and cross-bill, for answer thereto, or to so much thereof as he is advised that it is material he should answer, by his said guardian ad litem, answers and says:

That he is an infant of tender years, and by reason of his infancy is unable to understand and take care of his rights and interests herein; and that he therefore commends himself and his rights and interests to the protection of the Court and prays that no decrees may be entered that will tend to his prejudice.

And now, having fully answered the cross-bill of the said Joseph P. Bidgood, this respondent prays to be hence dismissed with his reasonable costs by him in this behalf expended.

H. Stuart Lewis
Guardian ad Litem for W. D. Bidgood

J. Edward Bidgood et als
v.
Joseph F. Bidgood et als

Answer of Guardian
ad litem for infant
defendants to Cross-bill,
Essie Druce and
W. D. Bidgood

James H.
McLEMORE & CORBITT
ATTORNEYS AT LAW
SUFFOLK, VA.

Jewell & Co., Phila.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

J. Edward Bidgood, Essie Druce (formerly Bidgood,
and W. D. Bidgood,

v.

Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood,
Bessie Carney (formerly Bidgood) Fairlie P. Nash,
Trustee, and John N. Hume, Administrator for Sarah L.
Hume.

The answer of Essie Druce (formerly Bidgood) who has re-
cently attained the age of twenty-one years, W. D. Bidgood,
an infant over the age of fourteen years, and J. Edward Bidgood,
the defendants, to the answer prayed to be treated as a crossbill
exhibited against them in the Circuit Court of Nansemond County
by Joseph P. Bidgood.

These defendants now and at all times hereafter saving and
reserving to themselves all benefits and all exceptions which
can be or may be had or taken to the many errors, uncertainties
and insufficiencies in the said bill contained, for answer there-
to, or to so much thereof as they are advised it is material
or necessary for them to answer, answering saith:

These defendants upon mature consideration are of the op-
inion that the certain instrument in writing dated the _____
day of November, 1904, signed by J. C. Bidgood, a copy of which
is filed, marked "Exhibit A", as a part of the said Joseph P.
Bidgood's answer and cross bill, expresses the real wish and
desire of the said J. C. Bidgood, their grand-father, and feel
that all interest of every nature they may have, if any, in the
said property in the proceedings mentioned should be conveyed
and relinquished unto the said Joseph P. Bidgood, and these
defendants are willing that a decree be entered accordingly.

And now, having fully answered the said answer and cross
bill of the said Joseph P. Bidgood, these defendants pray to be
allowed their reasonable costs in this behalf expended, and
they will ever pray, etc.

(Sign) J. Edward Bidgood
Essie Druce
W. D. Bidgood

J. Edward Bidgood
Essie Druce
W. D. Bidgood

J. Edward Bidgood et als
v.

Joseph P. Bidgood et als

Answer of J. Edward
Bidgood, Essie Druce and
W. D. Bidgood to Cross-bill
of Joseph P. Bidgood

James H.
~~McLemore~~ & CORBITT
ATTORNEYS AT LAW
SUFFOLK, VA.

Jewell & Co., Phila.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

J. Edward Bidgood, Essie Druce (formerly Bidgood)
and W. D. Bidgood.

v.

IN CHANCERY.

Jos. P. Bidgood, Macon Bidgood, Lovey Bidgood
and Bessie Carney (formerly Bidgood).

The answer of Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bessie Bidgood), three of the defendants,

to the original bill of complaint and to the amended supplemental bill of complainant exhibited against them and others in the Circuit Court of Nansemond County by J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood.

These defendants now and at all times hereafter saving and reserving to themselves all benefits and all exceptions which can be or may be had or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as they are advised it is material or necessary for them to answer, these defendants answering saith:

(1) These defendants admit that James C. Bidgood, their father, who was also grand-father of the complainants, was in his life time seized and possessed of certain real-estate lying in Sleepy Hole Magisterial District, in the County of Nansemond, State of Virginia, containing 287 acres, more or less, bounded on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, on the south by the lands now or formerly belonging to F. L. Jones, and on the West by the lands now or formerly belonging to L. D. Ames.

(2) It is admitted that the said James C. Bidgood

died leaving as his heirs at law J. Edward Bidgood, Essie Druce, (formerly Bidgood), W. D. Bidgood, his grand-children who are the complainants in this bill, and Jos. P. Bidgood, Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood), his children who are the defendants in this cause.

(3) It is admitted that W. D. Bidgood, the father of the complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, departed this life prior to the death of his father, James C. Bidgood, and that he left as his heirs at law the complainants, J. Edward Bidgood, Essie Druce, (formerly Bidgood) and W. D. Bidgood. But it is not admitted that the said W. D. Bidgood died intestate, as to which these defendants are not advised and call for strict proof of same.

(4) It is denied that the said complainants have any equity or rights in the said property, and it is denied that they are entitled to have the same partitioned. On the contrary it is claimed that the complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W.D. Bidgood, and the defendants Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood) have no equity or rights of any nature whatsoever in the said property, and have no right to ask for a partition of same, and that all of the said property belongs to the defendant Jos. P. Bidgood.

These defendants shew to the Court that on the _____ day of November, 1904, their father, James C. Bidgood, executed a certain instrument in writing, copy of which is filed herewith marked Exhibit "A", and prayed to be read as a part of this answer.

Pursuant to the directions contained in the aforesaid instrument, filed herewith as Exhibit "A", and with the intent to relinquish all rights or equities, if any these de-

defendants might have in the said property herein above described, these defendants, Macon Bidgood (and Grace Bidgood, his wife,) Lovey F. Bidgood (unmarried^a), and Bessie Carney (and J. R. Carney, her husband) executed a certain deed dated the 21st day of February, 1905, conveying and relinquishing to the defendant, Jos. P. Bidgood, all their interest of every nature in the aforesaid property, a copy of which deed is herewith filed, marked Exhibit "B", and prayed to be read as a part of this answer.

These defendants answer that they have never had any interest in the said property, and have no interest in this suit, and that they executed the above deed to Jos. P. Bidgood in order to settle any question that might arise with reference thereto.

And now having fully answered the complainants' bill the defendants pray to be allowed their reasonable costs in this behalf expended.

And they will ever pray, etc.

Macon Bidgood
Lovey F. Bidgood.
Bessie Carney.

"
Exhibit A"

TO THE CHILDREN OF THE UNDERSIGNED, J. C. BIDGOOD,
SURVIVING HIM AT HIS DEATH.

WHEREAS, the tract of land upon which I now reside, situated near Belleville, in Sleepy Hole Township, Nansemond County, Virginia, containing about Two Hundred and Eighty Seven acres, more or less, bounded on the West by the lands now or formerly belonging to L. D. Aaes, on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, and on the South by the lands now or formerly belonging to F. L. Jones, is, and has been for many years past heavily mortgaged, and

WHEREAS, my son J. P. Bidgood has for many years past, to-wit _____ years, paid the interest on said loans and the taxes on said property, and

WHEREAS, but for said payments of said interest and taxes by the said J. P. Bidgood the said land would, in my opinion, have been sold for the non-payment thereof, and I would thereby have been deprived of a residence and home for my declining years, and

WHEREAS, in consideration of the said payments so made and to be made by my said son, J. P. Bidgood, I have promised to convey to him all my equity in and to the said farm, and,

WHEREAS, in reliance thereon the said J. P. Bidgood has erected valuable improvements on said farm, and has made the payments aforesaid, and has assisted me by thus, and to this extent, providing a home for my declining years, and,

WHEREAS, for various reasons which appear to me adequate and sufficient, I do not desire to make a deed

conveying said property to the said J. P. Bidgood during my life, nor to execute a will leaving him the same at my death, but desire that my children surviving me at my death, being as such my heirs at law, shall execute to the said J. P. Bidgood a good and sufficient deed to the property aforesaid.

NOW, THEREFORE, In consideration of the premises, I especially request, direct, charge and require that my children surviving me at my death, and the husbands or wives of any of them then living, shall make, execute and deliver a good and sufficient deed conveying to the said J. P. Bidgood all their right, title and interest in and to the property aforesaid, and I especially enjoin upon my children as aforesaid the compliance with, and execution of, the request and direction hereinbefore contained.

IN TESTIMONY WHEREOF, I have hereunto this _____ day of November, 1904, set my hand and affixed my seal.

J. C. Bidgood (Seal).

"Exhibit B"

THIS DEED, made this the 21st day of February, in the year 1905, by and between Lovey F. Bidgood, (unmarried) of the County of Wanssmond, in the State of Virginia, Macon Bidgood and Grace Bidgood, his wife, of the County of Norfolk, in the State of Virginia, and Bessie Carney and J. R. Carney, her husband, of the County of Wanssmond, in the State of Virginia, parties of the first part, and J. P. Bidgood, of the said County of Wanssmond, in the State of Virginia, party of the second part.

WITNESSETH that for and in consideration of the sum of \$5.00 in hand paid, by the party of the second part to the parties of the first part, the receipt whereof is hereby acknowledged, and of other good and valuable considerations, moving from the said party of the second part to the said parties of the first part, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey, with general warranty, unto the said party of the second part, all that certain tract, piece or parcel of land, together with all the buildings and improvements thereon, and appurtenances thereto belonging, situate near Belleville, in Sleepy Hole Township, Wanssmond County, Virginia, containing two hundred and eighty-seven acres, more or less, bounded on the West by the lands now or formerly belonging to L. D. Ames, on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, and on the South by the lands now or formerly belonging to F. L. Jones, it being the same property on which the late J. C. Bidgood resided, and the same of which he died seized and possessed, the said Lovey F. Bidgood, Macon Bidgood and Bessie Carney,

and the said J. P. Ridgood, being all the heirs at law of the said J. C. Ridgood, deceased, who died intestate.

This conveyance is made expressly subject to all existing liens by mortgage, deed of trust or otherwise against the property hereby conveyed.

The parties of the first part covenant that the said party of the second part shall have quiet and peaceable possession of the premises hereby granted; that they have done no act to encumber the same; that they will execute such further assurances of said land as may be requisite and necessary, and that they have seized in fee simple absolute of their interest in the aforesaid property, as heirs at law of J. C. Ridgood, deceased.

IN TESTIMONY WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Lovey F. Ridgood	(Seal)
Bessie Carney	(Seal)
J. R. Carney	(Seal)
Wagon Ridgood	(Seal)
Grace Ridgood	(Seal)

City of Portsmouth,
State of Virginia.

I, J. B. Hope, Jr., a Notary Public for the City aforesaid, in the State of Virginia, do certify that Lovey F. Ridgood, Bessie Carney and J. R. Carney, her husband, whose names are signed to the writing above, bearing date on the 21st day of February, 1905, have acknowledged the same before me in my City aforesaid.

My commission expires the 11th day of December,

in the year 1905.

Given under my hand this 21st day of February,
1905.

J. B. Hope, Jr.,
Notary Public.

STATE OF VIRGINIA,

City of Portsmouth, TO-WIT:

I, J. B. Hope, Jr., a Notary Public for the City
aforesaid, in the State of Virginia, do certify that Macen
Bidgood and Grace Bidgood, his wife, whose names are signed to
the writing above, bearing date on the 21st day of February,
1905, have acknowledged the same before me in my City aforesaid

My commission expires the 11th day of December,
in the year 1905.

Given under my hand this 27th day of March, 1905.

J. B. Hope, Jr.,
Notary Public.

J. Edward Bidgood
v. In Chancery
Joseph P. Bidgood

Assessors of Macrae
Bidgood, Lucy Bidgood
and Benie Barney

McLEMORE & CORBITT
ATTORNEYS AT LAW
SUFFOLK, VA.

Jewell & Co., Phila.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

J. Edward Bidgood, Essie Druce (formerly Bidgood)
and W. D. Bidgood,

v.

IN CHANCERY.

Jos. P. Bidgood, Macon Bidgood, Lovey Bidgood
and Bessie Carney (formerly Bidgood).

The answer of Jos. P. Bidgood, one of the Defendants to the Bill of Complaint exhibited against him and others, in the Circuit Court of Nansemond County by J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, which said answer the said Defendant begs to be considered a cross-bill:

This Defendant now and at all times hereafter saving and reserving to himself all benefit and all exception which can or may be had or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material or necessary for him to answer, this Defendant answering saith:

(1) This Defendant admits that James C. Bidgood, his father, who was also the grandfather of the Complainants, was, in his lifetime, seized and possessed of certain real estate lying in Sleepy Hole Magisterial District, in the County of Nansemond, and State of Virginia, containing 287 acres, more or less, bounded on the North by the lands now or formerly

belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, on the South by the lands now or formerly belonging to F. L. Jones, and on the West by the lands now or formerly belonging to L. D. Ames.

(2) It is admitted that the said James C. Bidgood died leaving as his heirs-at-law J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, his grandchildren who are the Complainants in this Bill, and Jos. P. Bidgood, Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood), his children, who are the Defendants in this cause.

(3) It is admitted that W. D. Bidgood, the father of the Complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, departed this life prior to the death of his father, James C. Bidgood, and that he left as his heirs-at-law the Complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood. But it is not admitted that the said W. D. Bidgood died intestate, as to which this Defendant is not advised and calls for strict proof of same.

(4) It is denied that the said Complainants have any equity or rights in the said property, ^{it is denied} and that they are entitled to have the same partitioned. On the contrary it is claimed that the Complainants J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, and the Defendants Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood) ^{equity or} have no rights of any nature whatsoever in the said property, and have no right to ask for a partition of same, and that all of the said property belongs to this Defendant, Jos. P. Bidgood

This Defendant sheweth to the Court that on the _____ day of November, 1904, his father, J. C. Bidgood, executed a cer-

tain instrument in writing, a copy of which is filed herewith marked "Exhibit A," and prayed to be read as a part of this answer and cross-bill. This Defendant paid the taxes on said property and the interest on debts due thereon secured by deeds of trust and mortgages for many years prior to the date of the said agreement, and made valuable improvements on said farm prior to said date, and hath since the said agreement erected very valuable improvements upon said property, and hath continued to pay the said taxes and to pay the interest on the said debts against said property secured by deeds of trust thereon, and in many instances has ~~paid off~~ had assigned to him ^{for value} said debts in full, and has ~~paid off~~ had assigned to him ^{for value} various judgments which were liens upon said property.

Pursuant to the directions contained in the aforesaid instrument filed herewith as "Exhibit A," the said Lovey F. Bidgood, unmarried, Macon Bidgood (and Grace Bidgood, his wife), and Bessie Carney (and J. R. Carney, her husband) executed a certain deed dated the 21st day of February, 1905, conveying to this Defendant all their interest in the aforesaid property, a copy of which deed is herewith filed marked "Exhibit B," and prayed to be read as a part of this answer and cross-bill. But the said J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood, have not executed any deed in accordance with the terms of the aforesaid written instrument. And said J. Edward Bidgood has refused to execute a deed in accordance with the terms of the aforesaid written instrument, and the said Essie Druce (formerly Bidgood) and W. D. Bidgood are infants under the age of 21 years, and are consequently incapable of executing a valid and binding deed in pursuance of the directions contained in the aforesaid written instrument, but have, on the contrary, brought the suit for partition, by reason of

of which fact the title of this Defendant to the aforesaid property is burdened with a cloud in favor of the said J. Edward Bidgood, Essie Druce (formerly Bidgood) and W. D. Bidgood.

In tender consideration whereof and forasmuch as this Defendant is remediless save in a Court of Equity where matters of this kind are alone properly cognizable and relievable, he prays that the said Complainants may be made parties Defendants to this cross bill and required to answer same, but not under oath, the oath being waived; that a guardian ad litem be appointed to the said Essie Druce and W. D. Bidgood to defend their interests in these proceedings, who shall also answer this cross bill; that proper processes issue; that the Court require on the part of the said Complainants a specific performance of the directions contained in the aforesaid agreement and that the Court appoint some proper person as a Special Commissioner for the purpose of executing in behalf of the said Complainants a deed conveying to this Defendant all their right, title and interest in and to the aforesaid property, in pursuance of the written instrument filed herewith as "Exhibit A;" and that this Defendant may have such other further and general relief as the nature of his case may require and to Equity may seem meet.

And now having also fully answered the Complainants' Bill, this Defendant prays to be allowed his reasonable costs in this behalf expended.

And he will ever pray, etc.

James H. Corbett, p.d.

Jos. P. Bidgood,
By Counsel.

"Exhibit A"

TO THE CHILDREN OF THE UNDERSIGNED, J. C. BIDGOOD,
SURVIVING HIM AT HIS DEATH.

WHEREAS, the tract of land upon which I now reside, situated near Belleville, in Sleepy Hole Township, Nansemond County, Virginia, containing about Two Hundred and Eighty Seven acres, more or less, bounded on the West by the lands now or formerly belonging to L. D. Ames, on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, and on the South by the lands now or formerly belonging to F. L. Jones, is, and has been for many years past heavily mortgaged, and

WHEREAS, my son J. P. Bidgood has for many years past, to-wit _____ years, paid the interest on said loans and the taxes on said property, and

WHEREAS, but for said payments of said interest and taxes by the said J. P. Bidgood the said land would, in my opinion, have been sold for the non-payment thereof, and I would thereby have been deprived of a residence and home for my declining years, and

WHEREAS, in consideration of the said payments so made and to be made by my said son, J. P. Bidgood, I have promised to convey to him all my equity in and to the said farm, and,

WHEREAS, in reliance thereon the said J. P. Bidgood has erected valuable improvements on said farm, and has made the payments aforesaid, and has assisted me by thus, and to this extent, providing a home for my declining years, and,

WHEREAS, for various reasons which appear to me adequate and sufficient, I do not desire to make a deed

conveying said property to the said J. P. Bidgood during my life, nor to execute a will leaving him the same at my death, but desire that my children surviving me at my death, being as such my heirs at law, shall execute to the said J. P. Bidgood a good and sufficient deed to the property aforesaid.

NOW, THEREFORE, In consideration of the premises, I especially request, direct, charge and require that my children surviving me at my death, and the husbands or wives of any of them then living, shall make, execute and deliver a good and sufficient deed conveying to the said J. P. Bidgood all their right, title and interest in and to the property aforesaid, and I especially enjoin upon my children as aforesaid the compliance with, and execution of, the request and direction hereinbefore contained.

IN TESTIMONY WHEREOF, I have hereunto this _____ day of November, 1904, set my hand and affixed my seal.

J. C. Bidgood (Seal).

"Exhibit B"

THIS DEED, made this the 21st day of February, in the year 1905, by and between Lovey F. Bidgood, (unmarried) of the County of Nansemond, in the State of Virginia, Macon Bidgood and Grace Bidgood, his wife, of the County of Norfolk, in the State of Virginia, and Bessie Carney and J. R. Carney, her husband, of the County of Nansemond, in the State of Virginia, parties of the first part, and J. P. Bidgood, of the said County of Nansemond, in the State of Virginia, party of the second part.

WITNESSETH that for and in consideration of the sum of \$5.00 in hand paid, by the party of the second part to the parties of the first part, the receipt whereof is hereby acknowledged, and of other good and valuable considerations, moving from the said party of the second part to the said parties of the first part, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey, with general warranty, unto the said party of the second part, all that certain tract, piece or parcel of land, together with all the buildings and improvements thereon, and appurtenances thereto belonging, situate near Belleville, in Sleepy Hole Township, Nansemond County, Virginia, containing two hundred and eighty-seven acres, more or less, bounded on the West by the lands now or formerly belonging to L. D. Ames, on the North by the lands now or formerly belonging to F. L. Jones, on the East by the lands now or formerly belonging to J. S. Wise, deceased, and John T. Griffin, and on the South by the lands now or formerly belonging to F. L. Jones, it being the same property on which the late J. C. Bidgood resided, and the same of which he died seized and possessed, the said Lovey F. Bidgood, Macon Bidgood and Bessie Carney,

and the said J. P. Bidgood, being all the heirs at law of the said J. C. Bidgood, deceased, who died intestate.

This conveyance is made expressly subject to all existing liens by mortgage, deed of trust or otherwise against the property hereby conveyed.

The parties of the first part covenant that the said party of the second part shall have quiet and peaceable possession of the premises hereby granted; that they have done no act to encumber the same; that they will execute such further assurances of said land as may be requisite and necessary, and that they are seized in fee simple absolute of their interest in the aforesaid property, as heirs at law of J. C. Bidgood, deceased.

IN TESTIMONY WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Lovey F. Bidgood	(Seal)
Bessie Carney	(Seal)
J. R. Carney	(Seal)
Macon Bidgood	(Seal)
Grace Bidgood	(Seal)

City of Portsmouth,
State of Virginia.

I, J. B. Hope, Jr., a Notary Public for the City aforesaid, in the State of Virginia, do certify that Lovey F. Bidgood, Bessie Carney and J. R. Carney, her husband, whose names are signed to the writing above, bearing date on the 21st day of February, 1905, have acknowledged the same before me in my City aforesaid.

My commission expires the 11th day of December,

in the year 1905.

Given under my hand this 21st day of February,
1905.

J. B. Hope, Jr.,
Notary Public.

STATE OF VIRGINIA,

City of Portsmouth, TO-WIT:

I, J. B. Hope, Jr., a Notary Public for the City
aforesaid, in the State of Virginia, do certify that Macon
Bidgood and Grace Bidgood, his wife, whose names are signed to
the writing above, bearing date on the 21st day of February,
1905, have acknowledged the same before me in my City aforesaid

My commission expires the 11th day of December,
in the year 1905.

Given under my hand this 27th day of March, 1905.

J. B. Hope, Jr.,
Notary Public.

J. Edward Bidgood et als
v.
Jos. P. Bidgood et als

Answer
and
Cross Bill

James H. CORBITT
ATTORNEYS AT LAW
SUFFOLK, VA.

Jewell & Co., Phila.

VIRGINIA,

CIRCUIT COURT FOR THE COUNTY OF NANSEMOND, TO-WIT :

J. Edward Bidgood, Essie Druce,
(formerly Bidgood), and W. D. Bid-
good, the last two named being in-
fants under the age of 21 years,
who sue by said J. Edward Bidgood,
their brother and next friend.

V.

IN CHANCERY.

Joseph P. Bidgood, Macon Bidgood,
Lovey Bidgood, and Bessie Carney,
(formerly Bidgood).

To the Honorable James L. McLemore, Judge of the Circuit
Court for Nansemond County:

The amended and supplemental bill of your complainants,
J. Edward Bidgood, Essie Druce, formerly Bidgood, and W. D. Bidgood,
the last two named being infants under the age of 21 years, who sue
by said J. Edward Bidgood, their brother and next friend, sheweth un-
to Your Honor that heretofore they exhibited in the court their o-
riginal bill of complaint against Joseph P. Bidgood, Macon Bidgood,
Lovey Bidgood and Bessie Carney, formerly Bidgood, as follows:

" That your complainants' grand-father, James C. Bidgood, was
in his life time seised and possessed of certain real estate lying
in Sleepy Hole Magisterial District in the County of Nansemond and
State of Virginia, containing two hundred and eighty-seven acres,
more or less, bounded on the North by the lands now or formerly be-
longing to F. L. Jones; on the East by the lands now or formerly
belonging to J.S. Wise, deceased, and John T. Griffen; on the South
by the lands now or formerly belonging to F. L. Jones, and on the
West by the lands now or formerly belonging to L. D. Ames, and while
so seised and possessed, the said James C. Bidgood, on or about the
day of February 1905 died intestate, leaving as his heirs at
law, J. Edward Bidgood, Essie Druce and W.D. Bidgood, his grand-child-

dren who are your complainants, and Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood, and Bessie Carney, formerly Bidgood, his children who are the defendants in this cause.

That W. D. Bidgood, the father of your complainants, died intestate, on the 15th. day of March 1895, (ten years before the death of his father, the said James C. Bidgood), and left as his heirs at law, your complainants, the said J. Edward Bidgood, Essie Druce and W. D. Bidgood.

That the said real estate is, as your complainants believe, susceptible of partition among the parties entitled thereto, but should the property be not divisible in kind, they believe and here state that the interests of those entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of the same or by an allotment of part and the sale of the residue.

In consideration whereof, and forasmuch as your complainants are remediless in the premises, save by the aid of a court of equity they pray that the said Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood), may be made parties defendant to this bill, and required, but not on their oaths, to answer the same, the oaths being hereby waived; that proper process may issue; that the said estate be divided among the parties entitled thereto, or else, if it can not be so divided, that it may be sold and the proceeds be divided among the adult and infant parties according to their respective rights, the shares of the infants to be held as directed by statute for such cases made and provided; that all proper orders and decrees may be made, accounts taken, and inquiries directed; that your complainants may have all such further and other and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

And your complainants will ever pray etc.

J. Edward Bidgood,

Essie Druce,

W. D. Bidgood

By

Their counsel.

And by way of amendment and supplement to said bill, your complainants in said original bill say that said James C. Bidgood, the grandfather of your complainants, and Priscilla B., his wife, made their certain deed of trust, bearing date 21, September 1885, and recorded in Nansemond County Clerk's office 10 October 1885, by which they conveyed the said land to Fairlie P. Nash, trustee, in trust, to secure to Sarah L. Hume, the payment of \$1000.00, due and payable, as evidenced by a bond or note, dated 21 September 1885 and payable two years after its date.

That on the day of , the said Sarah L. Hume departed this life, intestate, and on the 16th. day of January 1906, John N. Hume was appointed administrator of her estate.

That on the 16th. day of September 1907, the said Fairlie P. Nash at the request of said John N. Hume, Administrator as aforesaid, alleging default had been made in the payment of the said \$1000.00, secured as aforesaid, and by virtue of said deed of trust, advertised said land for sale by public auction in front of the Court-house door of Norfolk County, in the City of Portsmouth, Virginia, for cash on Saturday September 28th. 1907, at 12 o'clock M., as will appear by a copy of the advertisement herewith filed as a part of this bill and marked exhibit A.

That your complainants are interested in said land and the same is the subject of this suit, and that the sale of said land, if allowed to take place, as advertised, would not only be in contempt of Your Honor, but would manifestly be against the interests of your complainants and all other parties interested.

That your complainants are informed, that there are other liens upon the said land besides that created by the aforesaid deed of trust and that the same should be ascertained and reported to court before the said land is sold.

In consideration whereof, and your complainants being without remedy save in a court of equity where such matters are properly cognizable, pray that the said Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood, Bessie Carney, formerly Bidgood, Fairlie P. Nash, Trustee, and John N. Hume, Administrator of Sarah L. Hume, may be made parties defendant to this amended and supplemental bill and required to an-

swer the same, but not on oath, oaths being waived, that proper process issue, that the said land be divided among the parties entitled thereto, or else, if it can not be so divided, that it may be sold and the proceeds divided among the parties entitled thereto, according to their respective rights, the shares of the infants to be held as directed by the statute for such cases made and provided, that the said Fairlie P. Nash, Trustee, and the said John N. Hume, Administrator of Sarah L. Hume, their agents, attorneys and all other persons, be enjoined and restrained from proceeding to sell said land or directing the same to be sold, and otherwise proceeding to collect by the sale of said land the said sum of one thousand dollars or any part thereof, that the said advertisement of said sale be set aside, and declared of no effect, and that all proper orders and decrees may be made, accounts taken, and inquiries directed and that your complainants may have all such other, further and general relief as the nature of their case may require or to equity shall seem meet.

And your complainants will ever pray etc.

J. Edward Bidgood
Essie Druce
W. D. Bidgood }

Infants by J. Edward Bidgood,
their brother and next friend.

Bradford Kilby
A. G.

Virginia,

County of Nansemond, to-wit:

This day personally appeared before me, the undersigned a Notary Public for the county aforesaid, *J. Edward Bidgood* and made oath that he believes that the statements made in the foregoing bill are true.

My term of office expires on the 30th day of Jan. 1911.

Given under my hand this 23rd day of September 1907.

B. H. Canby

Notary Public.

Exhibit A.

By virtue of a certain deed of trust dated Sept. 21, 1885, of record in the County Clerk's office of Nansemond County, made by the late J. C. Bidgood and wife to the undersigned as trustee, at request of the personal representative of the creditor therein secured, default having been made in the payment of the debt therein secured, I shall on Saturday, 28th. day of September 1907, at 12 o'clock M. sell by public auction in front of the Court-house door of Norfolk County, in the City of Portsmouth, Va, the following property: All that certain tract of land, situated near Belleville, in Sleepy Hole Magisterial District, Nansemond County, Virginia, containing three hundred acres, more or less, and bounded as follows: On the West by the land of Levi D. Ames and David B. Jones, deceased; North by the land known as the Poor's land and the land of F. L. Jones, East by the land of John S. Wise, deceased, J. T. Griffin, F. L. Jones and probably land of Levi D. Ames, and South by the lands of A. P. Gomer, F. L. Jones, D. B. Jones, deceased, and Jacob Eberwine.

Terms cash.

Sept. 16, 1907.

Fairlie P. Nash,
Trustee.

John C. Niemeyer, Auctioneer.

TRUSTEE'S SALE OF VALUABLE
FARM IN NANSEMOND COUNTY.

By virtue of a certain deed of trust dated September 21, 1885, of record in the County Clerk's Office of Nansemond County, made by the late J. C. Bidgood and wife to the undersigned as Trustee, at the request of the personal representative of the creditor therein secured, default having been made in the payment of the debt therein secured, I shall, on SATURDAY, the 28th DAY OF SEPTEMBER, 1907, at 12 o'clock m., sell by public auction in front of the Courthouse door of Norfolk County, in the City of Portsmouth, Virginia, the following property:

All that certain tract of land, situated near Bellville in Sleepy Hole Magisterial District, Nansemond County, Virginia, containing three hundred acres of land, more or less, and bounded as follows: On the west by the lands of Levi D. Ames and David B. Jones, deceased, on the north by the land known as the "Poor's Land" and the land of F. L. Jones, on the east by the lands of John S. Wise, deceased, J. T. Griffin, F. L. Jones and probably the land of Levi D. Ames, and on the south by the lands of A. P. Coomer and F. L. Jones, D. B. Jones, deceased, and Jacob Eberwine.

Terms: Cash.

FAIRLIE P. NASH,
September 16, 1907. Trustee

Bidgood et als
v. } In Chancery
Bidgood et als

Exhibit A.

J. Edward Bidgood ~~et als~~,
v. } In Chancery
Joseph P. Bidgood et als

Amended and
Supplemental Bill.

Bradford Tilby

~~WILBUR G. TILBY,~~

ATTORNEY AT LAW,
SUFFOLK, VIRGINIA.

VIRGINIA,

CIRCUIT COURT FOR THE COUNTY OF NANSEMOND, TO-WIT:

J. Edward Bidgood, Essie Druce,
(formerly Bidgood), and W.D. Bid-
good,

V.

In Chancery.

Joseph P. Bidgood, Macon Bidgood,
Lovey Bidgood, and Bessie Carney,
(formerly Bidgood).

To the Honorable James L. McLemore, Judge of the Circuit Court
for Nansemond County:

Your Complainants, J. Edward Bidgood, Essie Druce, (formerly Bid-
good), and W.D. Bidgood, the two last named being infants under the
age of twenty-one years who sue by the said J. Edward Bidgood, their
brother and next friend respectfully represent:

That your complainants' grand-father, James C. Bidgood, was in
his life time seised and possessed of certain real estate lying in
Sleepy Hole Magisterial District in the County of Nansemond and State
of Virginia, containing two hundred and eighty-seven acres, more or
less, bounded on the North by the lands now or formerly belonging
to F.L. Jones; on the East by the lands now or formerly belonging
to J.S. Wise, deceased, and John T. Griffin; on the South by the lands
now or formerly belonging to F.L. Jones, and on the West by the lands
now or formerly belonging to L.D. Ames, and while so seised and pos-
sessed, the said James C. Bidgood, on or about the day of *Feb-*
ruary 1905 died intestate, leaving as his heirs at law, J. Edward
Bidgood, Essie Druce and W.D. Bidgood, his grand-children, who are
your complainants, and Joseph P. Bidgood, Macon Bidgood, Lovey Bid-
good, and Bessie Carney (formerly Bidgood), his children who are the
defendants in this cause.

That W.D. Bidgood, the father of your complainants, died ^{intestate} on the 15th. day of March 1895, (*ten* years before the death of his father, the said James C. Bidgood), and left as his heirs at law, your complainants, the said J. Edward Bidgood, Essie Druce and W.D. Bidgood.

That the said real estate is, as your complainants believe, susceptible of partition among the parties entitled thereto; but should the property be not divisible in kind, they believe and here state that the interests of those entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of the same, or by an allotment of part and the sale of the residue.

In consideration whereof, and forasmuch as your complainants are remediless in the premises, save by the aid of a court of equity, they pray that the said Joseph P. Bidgood, Macon Bidgood, Lovey Bidgood and Bessie Carney (formerly Bidgood), may be made parties defendant to this bill, and required, but not on their oaths, to answer the same, the oaths being hereby waived; that proper process issue; that the said estate be divided between the parties entitled thereto, or else, if it can not be so divided, that it may be sold and the proceeds be divided among the adult and infant parties according to their respective rights, the shares of the infants to be held as directed by statute for such cases made and provided; that all proper orders and decrees may be made, accounts taken, and inquiries directed; that your complainants may have all such further and other and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

And your complainants will ever pray etc.

J. Edward Bidgood,

Essie Druce,

W.D. Bidgood,

By *Bradford Kilby*
Their Counsel.

J. Edward Bidgood et als.
v. } In Chancery
Joseph P. Bidgood et als.

Bill.

Bradford Kilby
p. 9.

1907 June 18th Filed.

Bradford Kilby
~~WILBY KILBY~~

ATTORNEY AT LAW.
SUFFOLK, VIRGINIA.

J & P Bidgood v others
In Chancery
J & P Bidgood v others

1907 Sept 23rd Process issued returnable
to October Rules Third
Monday.

" Oct. 21st. Process returned executed
on home defendants.
Bill filed and decree
nisi against them.

" Nov 4th Decree nisi vs home
defendants confirmed
and Cause set for hearing
as to them.

Chauncy
Notes.

Bidgood & als.

re. } In Chauncy

Bidgood & als.

J Ed Bragood v others
vs In Chancery
J P Bragood v others
1907 May 20th Process issued returnable
to June Rules 3rd Monday
" June 17th Process returned executed
and accepted.
Bill filed and decree
nisi vs defendants
" July 1st Decree nisi confirmed
and cause set for hearing

Chauncy notes.

Bidgood & als
R. } In Chauncy

Bidgood & als.

Bradford Kilby 199.

James Edward Bidgood
and others

W. In Chancery

Joseph P. Bidgood
and others.

Oct 1909

Orinal Decease

Costs

Clerk - -	\$ 8.66
Tax - -	1.50
Shff.	3.50
Surgt Ports.	1.00
alty	15.00
Spec Comm	10.00
	\$ 39.66