

1874-21

Southampton County Chancery

Edwards, Willie vs Edwards, Elizabeth

settlement of property

(Guardian of Elizabeth  
Edwards infant)

Briggs, W. W.  
Guardian Ad L

Edwards Gr.

v. } Papers.

Edwards

1872 May

To The Hon. Richard H. Boker, Judge of the Circuit  
Court, of Southampton County.

Humbly complaining sheweth unto your Honor, that  
your orator <sup>Subsion of Elizabeth Edwards</sup> Miles Edwards, that he has qualified, as the  
Circuit Court of Southampton, as the Guardian of his infant  
child Elizabeth Edwards, as will appear by a certificate  
herewith filed marked 1, as a part of this bill.

That his said child and maid is entitled, to a small  
tract of land, lying in Southampton County, adjoining  
the land of J. R. Noehle to them - and containing  
95 acres. which is all the real estate to which  
she is entitled.

That the tract has on it, some insignificant buildings  
and a small quantity of timber, is too small for  
a settlement for farming purposes, and is not  
productive enough to induce any one to settle  
on it. That it will for a small amount amount  
now - and each subsequent year, will become  
of value. That under this state of facts your  
orator believes and charges, that the interest of his  
maid will be necessarily promoted by a sale of the  
real estate above mentioned, and the rights of no  
other person will be violated thereby -

That your orator, with his child & maid resides  
in the State of Delaware and there is no probability  
that she will ever reside in Virginia - or on the  
small tract of land referred to in this bill -

That, the above mentioned Land and Eleven  
Slaves, of average value constitute the entire estate  
of his maid - except a small sum of money not yet  
paid. That his maid is now the age of fourteen  
years, being only about seven years old - and if she  
were to die your orator would be heir at Law  
of this Land - as it has not been decided how

her Mother, by gift devise or descent.

The Tender consideration of all which, and in  
as much as your brother is without remedy in  
the premises, except in this Court, where matters  
of this kind are alone cognizable & admissible - To the  
End therefore the said your Honor to make his nephew  
Eliakim F. Edwards, a minor, under the age of fourteen  
years, by some fit and proper person to defend his  
interest in this suit, appear and to this bill; that  
you will decree a sale of the Real estate in the  
bill mentioned - and grant such other, general and  
special relief as the nature of his case may require  
as we duly heard, he will ever pray &c -

Wm. A. Chace & Chapman  
Attos

1859 April 10th

Received

Ad.  
Price

Edwards & Sons

Edwards' Gen

or Copy Deceit

Edwards

Southampton Circuit Court, May Term, 1800.  
Willie Edwards, guardian of Elizabeth Edwards Plff

against  
Elizabeth Edwards

Deft

This day this cause came on to be heard on the bill,  
answer of the infant defendant, Elizabeth Edwards by her  
guardian ad litem, and the answer of W. W. Biggs, the  
guardian ad litem of the infant defendant, and was argued  
by Counsel, On consideration where of the Court doth  
adjudge, order and decree that Thomas Warrell, Jnr.  
Rochelle & Robt. Barnes, who are hereby appointed  
Special Commissioners for that purpose ascertain  
and report to Court the annual and real value of  
the land in the bill mentioned and whether or not  
the interest of Elizabeth Edwards will be promoted  
by a sale thereof.

Attest  
Henry S. Howard, D.C.

Edwards & Green

Edwards

May Co. 1860

To be entered.

R. H. Baker

Edwards

vs

Edwards

2

Decree

2

This day this cause came on to be heard on the bill answered by the infant defendant Elizabeth Edwards by her guardian ad litem and the answer of W W Briggs the guardian ad litem of the infant defendant, and was argued by counsel on consideration whereof the Court doth assign order and decree that Thomas Wornell and Nochi 2 Robt Barner who are hereby appointed special commissioners for that purpose ascertain and report to Court the amount and real value of the land in the bill mentioned and whether or not the interest of Elizabeth Edwards will be promoted by a sale thereof

1866

1866

bond and security in the Clerk's Office of this Court  
 before the Clerk, in the penalty of \$700 - payable  
 to the Comth of Virginia. Conditions, to faithfully  
 execute this and any other duty which may  
 be made in this cause.

Lawrence Hunt

as

Lawrence

See case

May 27 1866

To be entered

P. 14. B.

}

Edward Edwards

ms.

Edwards.

This day this cause came on to be further heard on the paper formerly read, on the report of Thos. G. Cornell, Robt L. C. and Mr Rochelle. Order made of the Court of May Term 1860. and was argued by counsel. On consideration whereof the Court confirming said report, to which no objection has been filed both acquiesce and order, that Willis Edwards who is appointed a Com. for the purpose, ~~after~~ having advertised the time, place and terms of sale, by advertisement - at the Court House door of this County and at one or more places in the neighborhood, sell to the highest bidder, on a credit of one and no years, equal instalments, 4 wks. Cost sufficient to pay the expenses of sale and costs of this suit the tract of Land in the city & proceedings mentioned. to wit a Tract of Land lying in the County of Southampton, & containing 43 acres, adjoining the Land of Mr Rochelle & others. That the Com. take bonds and security of the purchaser for the deferred payments, retaining a lien on the Land until the purchase is paid - and return the bonds, with his report - to the Court -

But this order shall be suspended until the said Willis Edwards or some one for him, enter into

Agreeably to a Decree of the Circuit Court of South-  
ampton County, dated May term 1860. we the under-  
signed Commissioners hereby report to the said Court, that  
we are of the Opinion, that the tract of land belonging  
to Elisabeth Edwards, lying in the above mentioned County  
of Southampton, is worth three hundred and fifty dollars  
(\$350.00) and the annual Value of the rent of the same,  
is about fifteen or eighteen dollars: - and taking into  
Consideration the situation and Condition of the tract  
of land, we believe the interest of the said Elisabeth  
Edwards would be promoted by a sale of the said  
tract of land. - - - Respectfully submitted to the Court.

Given under our hands October 29<sup>th</sup> 1860. - -

Thos. G. Worrell.  
Robt. S. Barnes  
W. B. Rochelle

Estuaries ~ Report  
or ~  
Estuaries 20

Edwards

as

Edwards



Refers

The undersigned Commissioners  
report pursuant to the decree entered in  
this cause on the day of November 1859  
that they have ascertained the real value of  
the land in the bill mentioned to be \$  
and the annual value to be \$  
and  
that it would promote the interest of the  
said Elizabeth Edwards to have the said  
land sold - all of which is respectfully  
submitted

*[Handwritten signature]*

25100000

The answer of Elizabeth Edwards an infant by W W  
Briggs her guardian ad litem to the  
bill of complaint filed by Willie Edwards guardian  
of Elizabeth Edwards -

This Defendant saying and answering as for  
answer to the said bill is to so much thereof as  
she is advised it is material or necessary  
to make answer unto answering saith that  
she believes the facts stated in the said bill  
are true, and being an infant she submits  
her right to the protection of the Court and  
prays leave to be dismissed

Charles H. Mather Clerk  
for Deft

The answer of W W Briggs guardian ad  
litem of Elizabeth Edwards to the bill of complaint  
filed by Willie Edwards guardian of Elizabeth Edwards

This Defendant saying and answering as for  
answer to the said bill is to so much thereof as he  
is advised it is material or necessary to make an-  
swer unto answering saith that he believes  
the facts stated in the said bill are true, and  
that it would be to the interest of the said  
Elizabeth Edwards that the said land should  
be sold and having answered he prays leave  
to be dismissed

W. W. Briggs

Southampton County, Va. 1869

This day Wm W. Briggs appeared before me and made  
oath that the facts stated in the above answer  
are true to the best of his knowledge & belief. Given  
under my hand this 3<sup>d</sup> day of ~~August~~ <sup>May</sup> 1869

J. J. Dutton J. C.

Edwards' Bow

to { Stat. Rules

Edwards

1866 May

Blk

Edicta

15.65

2.50

17.15

In Southampton Circuit Court.

Wm Edwards guardian of Elizabeth Edwards

against

Elizabeth Edwards

Deft

Plt

1859 Feb 22<sup>d</sup> Summons issued retble. to March Rules

" Mar. R. Sum. ret. "no inhabitant" - Cont<sup>d</sup> for bill.

" Apr. " Bill filed. C. W. Mendenburg assigned guardian ad litem to Deft. P.

1860 May 1<sup>st</sup> Decree

1866 " " Decree for sale &c.

1871 Nov. Rule is Com

1874 June - Removed from Docket with leave to restate

Edwards' Son

v. } Copy order.

Edwards

Not a resident of  
my County  
W. W. Driggs diff

Southampton Circuit Court November Term 1871

Wiley Edwards guardian of Elizabeth Edwards

Plff:

against  
Elizabeth Edwards

Deft.

} In bancery

On motion it is ordered that Wiley Edwards be summoned to the next term of this Court to show cause why he should not be attached for failing to make a report under the order of this Court entered at May Term 1866, and that the said Edwards be served by the Sheriff of this County with a copy of this order

A. Copy -

Teste

O. White Clk

Southampton Circuit Court November Term 1871.

Wiley Edwards Guardian of Elizabeth Edwards

against

Elizabeth Edwards

Plff:

Deft

} In Chancery

On motion, it is ordered that Wiley Edwards be summoned to the next term of this Court, to shew cause, why he should not be attached for failing to make a report under the order of this Court entered at May Term 1866. and that the said Edwards be served by the Sheriff of this County with a copy of this order

At Copy-

Teste

O. White Clk

Examined, *June*  
Ms. *Order*  
Examiner

---

*June 26. 1874.*

To be entered

*Geo. W. Mott.*

Edwards Esq.

vs.

Edwards.

On Motion, for the Plaintiff. Whereby, It  
is ordered that this cause be removed from  
the docket: And liberty is reserved to the Plaintiff  
on Motion, to prosecute the cause, - within  
one year from this day.

"Notice. I hereby give notice to all whom it may concern,  
"that as the guardian of Elizabeth Edwards, lawfully appointed  
"and qualified in the State of South Carolina, I shall apply to the  
"Circuit Court for the County of Southampton in the State  
"of Virginia, for an order authorizing me to sue for, receive,  
"and receive and remove to the State of South Carolina, all  
"money and personal property of my said ward, now in the  
"County of Southampton" (signed) Wiley Edwards -

OFFICE OF THE SOUTHERN ARGUS,  
NORFOLK, VA., 26 October 1856.

J. Abram Leonard <sup>editor</sup> one of the pub-  
lishers of the Southern Argus, a newspaper  
published daily in the City of Norfolk, State  
of Virginia, do certify that the ~~annexed~~ Legal  
Notice in the case of Wiley Edwards guardian  
of Elizabeth Edwards (a true copy,  
whereof is contained in the margin  
of this certificate)

~~pending~~ in the Circuit Court of the  
County of Southampton has been  
published once a week for four  
successive weeks in the said newspaper, commen-  
cing on the 22<sup>nd</sup> day of September 1856.

A. T. Leonard.

chj. of pub'n. \$ 2<sup>50</sup>

Edwards q.2.

to } Sum. Chs

Edwards

1859 March Rules

Elizabeth F. Edwards  
No inhabitant of  
my County

Robt M. W. Brown Esq  
For Wm W. Briggs Esq

# The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*Elizabeth F. Edwards*

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for  
the said Court, on the first Monday in *March next*, to answer a bill in chancery  
exhibited against *her* in our said Court by

*Milie Edwards guardian of Elizabeth F. Edwards*

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court  
House, this *22* day of *February* 1859, in the *83* year of the  
Commonwealth.

*L. R. Edwards*

# 8

Exams.

Mr. J. Leese  
Exams.

Nov. Ct. 1871.

To be entered

Geo. B. Low.

Eaton v. n.

no

Eaton v. n.

On motion, it is ordered that Wiley  
Eaton do. be summoned to the next Term  
of this Court. to show cause why he should  
not be attached for failing to make a report  
under the order of this Court, entered at

May Term 1866. and that the said Eaton  
be served by the Sheriff of <sup>this County</sup> ~~the County of~~  
with a copy of this order.