

1904-22

Southampton County Chancery.

Turner, Leroy A. (Gdn.) vs Turner, James W. et al

Sues to have court make purchase and exchange on 2 pieces of property for the betterment of minor children.

Turney, S.P.
 " , Rosa B.
 " , R.E.L.
 " , Arthur W.

Turney, W. J.
 " , Charles R.
 Wade, Mollie S.
 " , Eliza A.
 Pretlow, J. D.
 Turney, Lucy A.
 " , S.P.
 " , Rosa B.
 " , R. E. L.
 Arthur W

Sebrell, W. J. (G.A.L.)

Turner's Guardian

vs, Bill in Chancery

Turner and others,

also answers of minors
of their son ad litem
and of adults

1904 2nd Jan'y Rules filed
L.A. Bay. 64.

Wm Shand per

In that portion of said farm lying on the east side of
Turner's Guardian
the county road leading from Franklin Va., to Pretlow Va.,
vs, Bill In Chancery
exchangeing therefor, the standing timber on that portion of
Turner and others.

To the Hon.R.R.Prentis Judge of the Circuit Court
of Southampton Co.,Va.,
in Chancery.

Humbly complaining your Orator Lucy A.Turner guardian
of her infant children S.B., S.R. Rosa B, R.E.L, and Arthur W.
Turner shows unto the Court, that her said wards are seized
and possessed jointly of certain real estate situated in
Jerusalem District Southampton Co.Va., adjoining the land of
J.D.Pretlow and others, that they also have a four fifth in-
terest in the reversion of the dower land of their said Guar-
dian (who is also their Mother.) That the other interests in
reversion of said dower, belongs to J.D.Pretlow.

Your petitioner further states, that her said wards will
receive from J.D.Pretlow, Executor of their deceased Father,
Samuel Turner, the sum of \$103,33 each and some interest there
on, said petitioner, has all her said wards, living with her
on her said dower interest, and she as guardian, wishes the
court to allow her out of their said funds, to purchase from
the said J.D.Pretlow, for her said wards all his interests in
the reversion of her said dower, lands paying him therefor,
the sum of \$350.00. And further, that the court would al-
low her to acquire from said J.D.Pretlow, for them all inter-
ests he may have (the ^{standing} timber thereon down to ten inches in
diameter across the stump eighteen inches from the ground,
at the time of cutting being excepted, and reserved to said
J.D.Pretlow with the usual time and rights given in timber
contracts in said section in which to cut and remove the
same).

In that portion of said farm lying on the east side of the county road leading from Franklin Va., to Pretlow Va., exchanging therefor, the standing timber on that portion of the said farm now belonging to the said Minors, said timber being conveyed to the said Pretlow down to ten inches in diameter, across the stump eighteen inches from the ground, and on usual terms and conditions as to cutting and removing the same, contained in timber contracts in that section.

Your petitioner states, that to make the aforesaid investment and exchange, will be greatly to the advantage of her said wards and will result in their having a compact and valuable farm, that the rights of no one will be prejudiced or injured by the same, that should any of the said infants die under 21 years of age, their heirs would be the remainder of them, and their half brothers and sisters, ^{To wit;} James W. Turner, W. J. Turner, Charles R. Turner, Mollie S. Wade, (nee Turner,) Eliza A. Wade, (nee Turner,) and their said Mother Lucy A. Turner.

In tender consideration whereof, and in as much as your Orator is without remedy save in court of Equity, where said matters are alone cognizable, she prays, that the said James W. Turner, W. J. Turner, Charles R. Turner, Mollie S. Wade, Eliza A. Wade, J. D. Pretlow and Lucy A. Turner, and her said wards, S. P. Turner, Rosa B. Turner, R. E. L. Turner, and Arthur W. Turner, the latter by some fit and proper person their Guardian ad litem, appointed for that purpose, may be parties defendant to this bill and required to answer allegations therein contained, (but answers from them under oath are hereby waived where not necessary,) as fully and perfectly as if they were especially interrogated thereto.

*Turner's ...
of ... children*

That the court would direct the aforesaid purchase and exchange, and appoint a proper commissioner to execute the necessary deeds to carry the same into effect.

That proper inquiries and accounts be taken, decrees and orders entered, and all such other, further, general, and special relief may be granted by the court as to equity may seem meet, or the nature of the case require.

Your Orator, hereby gives notice to all interested parties that she will ask the court to allow her attorney in this cause, Willian Shands, a reasonable attorney's fee for his services out of the funds of her said wards.

Signed *Lucy A. Turner* Guardian of therein,
Rosa B. Turner, S.P. Turner, R.E.L. Turner, and Arthur W. Turner,

Subscribed and sworn to before me in Southampton Co. Va.,
by Lucy A. Turner Guardian as aforesaid this *19* day of
Jany. 1904-

*W. J. ...
Charles ...
Eli ...*
A. G. Bradshaw J.P.

*Subscribed and sworn to before me in Southampton Co. Va.,
by ...
Jany. 1904-*

A. G. Bradshaw

Turner's son
23 ansies of adult Turne children
Turner et al

1-

The Joint answer of S.P. Turner, Rosa B. Turner, Robert E.L. Turner and Arthur W. Turner, minor children of S.J. Turner dec'd Turner, Mollie S. Wade, Eliza A. Wade to a Bill in Chancery filed over the sgt of 14 years, to Bill in Chancery filed by Lucy A. by Lucy A. Turner guardian of S.P. Turner, Rosa B. Turner, Robert Turner our guardian (and mother) against us et als, in the E.L. Turner & Arthur W. Turner et als, against us et als, in the chancery cause of Turner's Gdn. vs Turner et als now pending in the Circuit Court of Southampton, Co. Va.,

We the said defendants for answer to the same, as

much thereof as we are advised it is material for us to answer. We the said defendants for answer to said bill, or as much thereof as we are advised it is material for us to answer, answering, say that we fully understand the bill and object thereof, the facts are related correctly therein, That we wish the court to grant the request therein made. And having fully answered we pray hence to be dismissed with out costs.

signed
James W. Turner
W. J. Guiney
Charles R. Turner
Mollie S. Wade
Eliza A. Wade

Subscribed and sworn to before me in Southampton Co. Va.
by Jas W. Turner, Guardian of the person of the said S.P. Turner, Rosa B. Turner, Robert E.L. Turner & Arthur W. Turner, Mollie S. Wade & Eliza A. Wade
18 day of
Jany. 1904-

A. B. Bradshaw J.P.

Turner, a minor.

.W. est to remain av

Turners Gdn
23 answer of minor
Turner et al

The Joint answer of S.P.Turner, Rosa B.Turner, Robert E.L
Turner and Arthur W.Turner, minor children of S.J.Turner dec'd
over the age of 14 years, to Bill in Chancery filed by Lucy A.
Turner our guardian (and mother) against us et als, in the
chancery cause of Turner's Gdn.vs.Turner et als; now pending
in the Circuit Court of Southampton, Co.Va.,

We the said defendants for answer to the same, are as
much thereof as we are advised it is material for us to an-
swer, answering say, that we fully understand the object of the
bill & are old enough and intelligent enough to do so, and
most heartily join in asking that the court grant it, the re-
quests herein contained. We know of no better investment
for our money than in getting the land for our home and for
us to work and make a living on, and the same thing applies a
as to the timber exchange for land from Mr.J.D.Pretlow.
And having fully answered pray hence to be dismissed without
costs.

S. P. Turner
Rosa B. Turner
A. E. L. Turner
A. W. Turner

Subscribed and sworn to before me in my said County by
the aforesaid S.P.Turner, Rosa B.Turner, Robert E.L.Turner &
Arthur W.Turner this 18 day of Jany. 1904-

A. G. Bradburne J.P.

Turner Jas.W. et als

vs. answer of *son ad litem*

Turner, Lucy A. et las,

W. J. Schell

The answer of ~~R. E. L. Watkins~~ Guardian ad litem for

Rosa B.S.P.R.E.L. and Arthur W. Turner minors over 14 years old to a Bill in Chancery filed by Lucy A. Turner their guardian (and Mother) against them and others, in the above styled cause.

This defendant for answer to the said petition or to so much thereof as he is advised it is material for him to answer; answering says he knows nothing of the allegations contained in the said petition; and submits the interests of his wards to the care of this court whose especial duty it is to look after and protect the interests of minors, and having fully answered prays hence to be dismissed without costs &c.

W. J. Schell

Signed, *W. J. Schell,*

Guardian ad litem for above named minors.

Subscribed and sworn to before me in my said county by

W. J. Schell

~~R. E. L. Watkins~~ Gdn. ad litem as aforesaid, this 18th day of

Jany. 1904

Wm Shands
Com. In, Chancery

Juror Lucy A. 4th. re.

vs. } Statement of Rules

Juror et al.

[Faint, illegible handwriting in the ruled section of the page]

Lacey A. Turner, 4th of S.P. Turner, Rosa B. Turner,
R. E. L. Turner & Arthur Turner, Minors over 14. years
Old, Plaintiffs

In } In Chancery

Geo. W. Turner, W. J. Turner, et al., R. Turner, Mollie S.
Trade, Estlya A. Trade, J. D. Prettow, Lacey A. Turner,
S. P. Turner, Rosa B. Turner, R. E. L. Turner, Arthur
W. Turner, four last named being minors, by
W. J. Sabrell their 4th of ad litem Defendants

1903. 7th November, Process issued to 1st Dec. Rules

1903. 1st December Rules, Process returned & executed.

Bill and exhibits not filed.

H. J. Sabrell appointed 4th of,
ad litem to infant defendants

1903. 2nd December Rules, Bill and exhibits
not filed

1904. 1st Jan'y. Rules, Bill and exhibits
not filed

1904. 2nd Jan'y. Rules Bill filed,
Dorm nisi

" 1 Feb: Rules: Bill taken for Confess.
as to adults & Counsel set for
hearing.

Turner's Guardian

vs. $\frac{1}{2}$ Deere.

Turner et al.

March 23, 1904.

Enter this
Robert R. Dennis

Entered.
C. O. B. p. 71.

Lucy A. Turner, Gdn. of S.P. Turner, Rosa B. Turner,
R. E. L. Turner, & Arthur Turner, minors over 14 years of age,
vs.

James W. Turner, W. J. Turner, Chas. N. Turner, Mollie S.
Wade, Eliza A. Wade, J. D. Prettow, Lucy A. Turner,
S. P. Turner, Rosa B. Turner, R. E. L. Turner & Arthur
W. Turner, last four infants of tender years, by W. J.
Schell, their guardian ad litem.

This day this cause came on to be heard
upon complainant's bill & exhibits therewith filed,
~~the answers of the~~
~~defendants for confessed as to the adult defendant,~~
this day filed,
~~upon which process has been duly served,~~
~~they still failing to appear and plead, answer~~
~~or demur to the said bill,~~ the answer of the
infant defendants by R. E. L. Walker, their guardian
ad litem duly assigned at rules to protect their
and the separate answer of the infant defendants over 14 years of age,
interest in this suit, with several rejoinders
thereto, and was argued by counsel.

On consideration whereof, and by consent of
the parties, through and by Wm. Shands, their attorney,
in town entered of record, it is ordered that this
cause be submitted to the Judge of this
Court for such decision and decree therein in
provision as might be made in law.

Jurors' Guardian

vs.

{ Report of Comr.

Jurors et al.

1904. July 7th, ~~1904~~, File 2
B. F. McLaughlin & G. C.

OFFICE OF JOS. B. PRINCE, JR.,

Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Courtland, Va., June 23th, 1904. 189

To

Lucy A. Turner, Guardian of S.P. Turner, Rosa B. Turner, R.E.L. Turner and Arthur W. Turner, minors over 14 years old,

and

James W. Turner, W.J. Turner, Charles R. Turner, Mollie S. Wade, Eliza A. Wade, J.D. Pretlow, Lucy A. Turner, S.P. Turner, Rosa B. Turner, R.E.L. Turner, Arthur W. Turner, last four infants by W.J. Sebrell their guardian ad litem.

You are hereby notified that I have fixed upon the 5th day of July, 1904, next, if fair, if not the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to-wit:

1st:- Whether ~~or not~~ it is to the interest of the infants, S.P. Turner, Rosa B. Turner, R.E.L. Turner, and A.W. Turner that their said Guardian, Lucy A. Turner be allowed to purchase out of the funds of her said wards from J.D. Pretlow for the sum of \$350.00, for them all his interest in the reversion of her said dower lands, and further to acquire from said J.D. Pretlow for said wards all interest he may have the standing timber thereon down to ten inches in diameter across the stump, eighteen inches from the ground at the time of cutting, being excepted and reserved to J.D. Pretlow with the usual time and rights given in timber contracts in said section in which to cut and remove it in that portion of the said farm lying on the east side of the the county road leading from Franklin, Va., to Pretlow, Va., ~~excluding the same from~~ exchanging therefor the standing timber on that portion of the said farm now belonging to the said minors, said timber being conveyed to the said Pretlow down to ten inches in diameter across the stump eighteen inches from the ground at the time of cutting and on the usual terms and conditions as to cutting and removing the same contained and given in timber contracts in this section:

2nd:- The value of the property in question: or not

3rd:- Whether the interests of any other party would be violated by the ~~said purchase and sales exchange.~~

4th:- Any other matter specially stated deemed pertinent by the commissioner or required to be stated by any interested parties.

required to be taken by a decree of Southampton Circuit Court, rendered ~~at~~ ^{on} the 31st day of June, 1904, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of said Court the day and year first aforesaid.

Joseph B. Prince, Commissioner.

To the Sheriff of Southampton County to execute.

We hereby acknowledge due and legal service of the within notice,

Jury of younger guard
and Arthur W. Sumner J. P. Franklin B. Sumner A. E. L. Turner

J. W. Sumner

W. J. Sumner

L. R. Sumner

Thelie S. Wade

Eliza A. Wade

H. W. Prebaw & A. Sumner

W. D. Sebrill, Guardian ad litem &c.

~~Charles C. Turner~~

Turner's Guardian

vs. { Notice

Turner et al

J. W. Sumner &
W. J. Sumner
L. R. Sumner
Arthur W. Sumner

Jaymes's Gooddean

~~vs. Spoa~~

Jaymes et als

Turner's Gooddean

vs. { Spoa

Turner et als

Executed July 4th 1784
by delivering a true
copy of the within
wills to each of
the within named
Jew Bryant Deputy
D. J. Gilluley Clerk

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

*Frank Roal and
Geowest*

Joseph B. Bruce, a commissioner in Chancery of
to appear before ~~the~~ *Judge* our Circuit Court of Southampton County, at the Court-
house thereof on the *5th* day of *July*, 190*4*, to testify and the

truth to speak on behalf of *Jurnes Guardian*
in a certain matter of controversy in our said Court depending and undetermined between

Jurnes Guardian, plaintiff, and
Jurnes et al, defendant.

And this *they* shall in nowise omit, under penalty of the law. And have then there
this writ.

Joseph B. Bruce, Commissioner
Witness, *B. E. McLEMORE* Clerk of our said Court, at the Courthouse, this

26 day of *June*, 190*4*, in the 12*8* year of the Commonwealth.

Teste:

Joseph B. Bruce, c. c.

Circuit Court of Southampton County, Va., in vacation, June 21st, 1904.

Turner's Guardian vs. 2nd Decree.
Turner et als.

This day this cause came on again to be heard upon the papers formerly read, and was argued by counsel - On consideration whereof, the court doth adjudge, order and decree that one of the commissioners in chancery of this court proceed to enquire and report:

1st:- Whether it is to the interest of the infants, S.P.Turner, Rosa B.Turner, R.E.L.Turner and A.W.Turner that their said guardian, Lucy A.Turner be allowed to purchase out of the funds of her said wards from J.D.Pretlow for the sum of \$350.00 for them all his interest in the reversion of her said dower land and further to acquire from said J.D.Pretlow for said wards all interest he may have in the standing timber thereon ^{down} to ten inches in diameter across the stump, 18 inches from the ground at the time of cutting, being and excepted and reserved to J.D. Pretlow, with the usual time and rights given in timber contracts from in said section in which to out and remove it in that portion of the said farm lying on the east side of the county road leading from Franklin, Va., to Pretlow, Va., exchanging therefor the standing timber on that portion of the said farm now belonging to the said minors, said timber being conveyed to the said Pretlow down to ten inches in diameter across the stump, eighteen inches from the ground at the time of cutting, add on the usual terms and conditions as to cutting and removing the same contained and given in timber contracts in this section.

2nd:-The value of the property in question.

3rd:-Whether the interest of any other party will be violated or not by the aforesaid purchase and exchange.

The said commissioner will also report the evidence upon which

Commissioners Office, Southampton, Va.

he bases his report, together with any other matters, specially stated deemed pertinent by himself or which he may be required to state by any party interested.

Robert R .Prentis.

To the Clerk of the Circuit Court of Southampton County.

A Copy:

Teste:-

B. F. McLinn

C.C.

... his office on the 15th day of July, 1904, at which time ...
... would take the accounts of the said decedent, which said accounts ...
... were returned to your commissioner July ...
... parties hereto, or their duly authorized attorneys.
... Your commissioner also summoned to appear before him on the ...
... interested parties, Frank ... and George ...
... of the property in question, with which this suit was brought ...
... a part of this report.
... In accordance to the notice as aforesaid given, on the 5th ...
... of July, 1904, your commissioner proceeded to take the accounts ...
... of the said decedent, and here to report as follows:-
... (a)
... Your commissioner believes it will be to the mutual advan-
... tage of J.D. Pretlow and the wards of Mary A. Turner, viz:-
... S.P. Turner, Ross B. Turner, R.E.L. Turner and A.W. Turner, to allow ...
... the said Mary A. Turner to purchase of J.D. Pretlow his interest ...
... in the reversion of said South land, which interest is an un-
... divided $\frac{2}{3}$, for the sum of \$200.00.
... (b) It will further be a fair exchange, and mutually advan-
... tageous to all parties to allow the said wards to exchange with ...
... J.D. Pretlow all the interest they may have in the standing ...
... timber on that part of the land which they now own for the ...
... land which he owns, which land was formerly a part of the ...
... Turner estate, allowing the said Pretlow to reserve all the

Commissioners Office. Courtland, Va.

July 5th, 1904.

To the Circuit Court of Southampton County, Va.

Pursuant to a decree of the Circuit Court of Southampton County, Va., entered on the 21st day of June, 1904, in the chancery cause therein depending styled Turners' Guardian vs. Turner et als, the undersigned, a commissioner in chancery of the said court to whom was referred for settlement the accounts of the said decree reports, that on the 28th of June, 1904, he issued notices against the several parties to the said suit requiring them to be present at his office on the 5th day of July, 1904, at which time and place he would take the accounts of the said decree, which said notices were returned to your commissioner duly acknowledged by all the parties thereto, or their duly authorized attorney.

Your commissioner also summoned to appear before him on the aforesaid date Frank Rose and George W. West, parties familiar with the property in connection with which this suit was brought, whose depositions he took, and which depositions are filed herewith as a part of this report:-

In pursuance to the notices as aforesaid given, on the 5th of July, 1904, your commissioner proceeded to take the accounts of the said decree, and begs to report as follows:-

(a)
1st:- Your commissioner believes it will be to the mutual advantage of J.D. Pretlow and the wards of Lucy A. Turner, viz:- S.P. Turner, Rosa B. Turner, R.E.L. Turner and A.W. Turner, to allow the said Lucy A. Turner to purchase of J.D. Pretlow his interest in the reversion of said dower land, which interest is an undivided $\frac{5}{9}$, for the sum of \$350.00.

(b) It will further be a fair exchange, and mutually advantageous to all parties to allow the said wards to exchange with J.D. Pretlow all the interest they may have in the standing timber on that part of the land which they now own for the land which he owns, which land was formerly a part of the Turner Estate, allowing the said Pretlow to reserve all the

standing timber on the part which he now owns, the reservation herein mentioned, and the timber on the said ~~wards~~ infants' lands to embrace all standing timber 10 inches in diameter across the stump, 18 inches from the ground at the time of cutting, and that the time in which all said timber shall be cut and removed shall not exceed 10 years from 1st of March, 1904.

In other words, J.D.Pretlow now owns in fee simple 30 acres, more or less, of the land which was formerly a part of the Turner Estate, adjoining the lands of the infants in this cause, together with the standing timber on said 30 acres, ^{more or less} and it is the purpose of this proceeding to allow him to retain all the timber on this to the specifications above mentioned, and acquire from the infants all their interest in the standing timber on their tract of land, to the specifications above mentioned, giving in exchange therefor the 30 acres of land which he now owns, and the commissioner is of opinion that the exchange would be fair and reasonable, allowing the said Pretlow to reserve, and ~~the~~ ^{the} infants to convey, all rights and privileges necessary ^{and incident to the} ~~and for the purpose of~~ cutting and removing ~~the~~ said timber on the tracts of land,

2nd:-The property in question is worth as a fee simple interest about, \$

3rd:-The interest of no party will be violated by the said sale and exchange.

Respectfully submitted:-

Joseph B. Prince
Commissioner in Chancery.

Commissioners fee:-	\$5.00
Frank Rose, Wtnss...	50
Geo. W. West.....	82
	<u>\$6.32</u>

The depositions of Frank Rose and George W. West, taken before me Joseph B. Prince, a commissioner in chancery of the Circuit Court of Southampton County, Va., in accordance with the terms of a decree of the Circuit Court of Southampton County entered on the 21st day of June, 1904, in the chancery cause of Turners: Gdn vs. Turner et als, said decree being referred to the aforesaid commissioner for settlement, and the depositions herein being taken at the Office of the said Commissioner according to the notice herewith filed:-

Present: Wm. Shands, Atty. for the Plaintiffs-
W. J. Sebrell, Gdn. at Litem for Infant. defend
Witness Frank Rose, after being duly sworn deposes as follows:-

Please state your name, age residence, occupation, and do you know the parties to this suit ?

A. Frank Rose, 54, farmer, live near the parties and know them all.

Q. Do you think it will be to the interest of the infants in this cause, S.P., Rosa B., R.E.L., and A.W. Turner that their guardian ~~Lucy A. Turner~~ be allowed to purchase ~~from~~ out of the funds of the said wards, for them, from J.D. Pretlow, for the sum of \$350.00 all his interest in an undivided 5/9ths in the reversion of her said dower lands, and further to acquire from J.D. Pretlow ~~from~~ for said wards all the interest he may have ~~and~~ (the standing timber thereon down to ten inches in diameter, across the stump, 18 in. from the ground at the time of cutting, being ~~and~~ excepted and reserved by the said J.D. Pretlow, with 10 years time given in which to cut and remove the same, with the necessary rights and privileges of going in and upon the said land for the purposes of removing it) in that portion of the said farm lying on the east side of the ~~Sandy~~ County Road leading from Pretlow to Franklin, containing 30 ares, more or less, they exchanging therefor the standing timber belonging to the minors on that portion of the farm which now belongs to them, said timber being conveyed to J.D. Pretlow down to ten inches in diameter across the stump, 18 inches ~~from~~ the ground, at the time of cutting, 10 years being given in which to cut and remove the same, with the necessary privileges and rights given to go upon the land and remove the same ?

Ans. As to the first part, I think the purchase of the reversion in the dower for the sum of \$350.00, will be an excellent investment.

The other also would be a good investment the timber on the widow's dower part it is understood is not to be conveyed to Mr.

Pretlow, but the timber which they have on the other portion of their land. This timber and land would about equal in value being worth about three hundred and fifty to four hundred dollars each. I think ten years a fair time in which to cut and remove the said timber, said time dating from the first of March, 1903.

Q. q Would the interest of any other interest party be violated by this said sale and exchange?

Ans. No, not that I know of.

And further this deponent saith not.

7 mi.

J. W. Rose

Witness George W. West, being duly sworn deposes as follows:-

1. State your name, age, residence, occupation and whether you know the parties to this suit.
2. Farmer, Uncle of the minors, on the mothers side. 50 years old, Southampton Co., Va.
3. You have heard the deposition of Mr. J. W. Rose, please state whether or not you concur in his statements?
4. Mr. Frank Rose and myself carefully examined this property in person at the request of Mr. Bretlow and the Guardian of the Minors, as well as the minors themselves, and I fully concur in the statement ~~made~~ which Mr. Rose has just made in this cause.

I think that the purchase and exchange will be mutually advantageous to the interest of the parties interested and no one's interest will be violated by the same.

And further this deponent saith.

George W. West
West

14.

Virginia:-

Southampton County, to-wit:-

I, Joseph B. Prince, a commissioner in chancery of the Circuit Court for the County of Southampton, in the state of Virginia, do certify that the foregoing depositions of Frank Rose and George W. West were duly taken, sworn to and subscribed before me, at the time and place and for the purpose in the caption hereto annexed.

Given under my hand this 5th day of July, 1904.

Joseph B. Prince, Comm. in Chancery,

Special Commissioner.

Sept 1st 1904

Turners' Guardian,
Vs (Report of Special Comr,
Turner et als,

Filed Sept 1st 1904
B. J. Johnson

Southampton County Vs,
To the Hon R. R. Prentiss Judge of the circuit court of

Turners' Guardian
Vs (Report of special comr,
Turners' Guardian

Turners' Guardian

Vs (Report of special comr'

Turner et als

To the Hon R.R. Prentis Judge of the circuit court of
Southampton County Va,

Your undersigned commissioner, begs leave to report, that she has paid to J
D. Pretlow the money (\$350.) called for in the decree entered in this cause
by this court at its July term (18th) 1904, and that he has executed to her
said wards, R.E.L. Turner, S.P. Turner, Rosa B. Turner, and Arthur W. Turner the
proper deed for the land directed to be conveyed to them. That she as spe-
cial Comr' has executed to said Pretlow the proper deed for the timber
which she was directed to convey to him, and he in exchange therefor, has ex-
ecuted to said wards a proper deed for the land which he was directed to con-
vey to them in exchange for the said timber, all of which was done in pur-
suance to the directions of the aforesaid decree, that there remains noth-
ing further to be done by your Comr'. ALL of which is

Respectfully submitted by,

Lucy A. Turner

Lucy A. Turner

Special Commissioner,

SEpt, 17th. 1904.

Hon William Shands Atty

Dear Sir

We the undersigned heirs of our father Samuel J Turner who are over twenty one years of age, are perfectly willing to have the growing timber on that part of the land allotted to the minor children, to be exchanged with J W Brettow for his part of the land on the East side of the road leading from his house to Franklin
Witness our signatures & seals this the 18 day of Nov 1903

James W Turner

W. J. Turner

Chas. R. Turner

Mattie S. Wade

Eliza A. Wade

seal

seal

seal

seal

seal

Turner's Guardian

vs } Costs due L. A. Gay
to Jan. 20 - 1904

Turner & Co.

Lucy A. Turner Gdn. vs.

vs. Clerk's fees due L. A. Gay to date Jan'y, 20, 1904
Turner et al.

Summ. 25. 8 Cop. 104. receipt 18. atty. 10 = 157

do ex'd 18. Rules 2.00 enter return 35. bill 15 = 268

filing 2 answers 30. replication 15 = 45

Tax costs vs. 40 = 40

157
40
470

Jan'y. 20" 1904

Teste: L. A. Gay to be

Heretofore and knowledge legal service of the
written some names

Jucy, a. Turner
J. D. P. Sellow

Joe M. Turner
W. J. Turner
Chas. A. Turner
Mollie S. Wade
Eliza A. Wade

These names
are
written
for
their
attorney
to
sign
for
them

A. D. Turner
S. P. Turner
Rosa B. Turner
Catherine M. Turner

These names
are
written
for
W. H. Dabell
to
sign
for
them

Turner Quincy M. Dabell

vs. { Special in Chancery
Turner et al.

1903. 1st Dec. Rules,

Case 65

William Dabell

p. 9.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON Geo. W. Turner, W. J. Turner,

W. H. Turner, Mollie S. Wade, Eliza A. Wade,

J. A. Patten, Lucy A. Turner, S. P. Turner, Rosa B. Turner,

R. E. L. Turner, Arthur W. Turner, your last named

being minors by W. J. Sabell their Gdn. ad litem.

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 1st Monday in Dec, 1903 next, to answer a Bill in Chancery exhibited against them in our said Court by

Lucy A. Turner, Gdn. of S. P. Turner, Rosa B. Turner,

R. E. L. Turner & Arthur W. Turner, minors over 14

years old.

And this They shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 7th day of November, 1903, ~~189~~, in the 12th year of the Commonwealth.

Teste: L. A. Gay C. C.

Turner's 8500

2.3 3rd Decade

Turner's 8500

Sober entered July 18

Jan 1904
Robert R. Hunt

Entered

p. 89. C. O. B.

Turner's Son

vs 3rd Decree

Turner et al

This day the cause come on again to be heard upon the papers formerly read and upon the report of Court of B Prince filed ^{July} 7th 1904 and to which no exceptions have been filed, and was argued by counsel. On consideration whereof, the court doth adjudge order and decree that the said report be confirmed.

And the court doth further adjudge order and decree that ^{J. P. Turner, Rosa B Turner +} ~~George A. Turner~~ ^{George A. Turner} Son of N. E. S. Turner, be authorized to expend the sum of three hundred and fifty (\$350⁰⁰) dollars of her said words money in purchasing for them from J. D. Prillow all his interest in the reversion of her dower lands, which is an undivided $\frac{5}{9}$ interest in the reversion, and the court doth further adjudge order and decree that upon J. D. Prillow making aforesaid minor a deed for that portion of the land of J. Turner from owned by said Prillow + being on the East side

of the county road leading from Franklin Va. to Prettow Va. containing fifty acres more or less, he being allowed to reserve all the standing timber thereon that he owns, down to ten inches in diameter across the stump eighteen inches from the ground at the time of cutting, and that his right to the same & time in which it shall be cut & removed shall not exceed ten years from March 1st 1903 with the necessary rights and privileges retained to remove the same in said time. That Lucy A. Turner who is hereby appointed a special Commissioner for the purpose, shall upon receipt of the last mentioned deed, convey with special warranty to said J. D. Prettow all interest in the aforesaid timber now here in the standing timber measuring down to ten inches in diameter across the stump eighteen inches from the ground at the time of cutting on that portion of the same of Turner land, the does portion excepted, owned by them, giving

him ten years from March 1st 1903 in
which B. had held, and cut & remove
the same with all necessary rights
and privileges to cut and remove
the same during said time.

Wm. G. Smith

1903

James G. M.

23 2nd Decem

James et al

Entered June 21st 1904

Robert R. Merrill

Entered

Q. O. B. p. 84.

Superior Court of Duchampain Co Va
In Vacation, June 21st. 1904

Turner vs Gou

vs 3rd Decree

Turner et al

This day this cause
came on again to be heard upon
the papers formerly read, and
was argued by counsel on
consideration whereof, the court
doth adjudge order and decree
that one of the commissioners in charge
of this court proceed to enquire
and report
whether it is to the interest of the
infants S. P. Turner, Rosa B Turner
R. G. Turner and A. W. Turner that
their said guardian Lucy A. Turner
be allowed to purchase out of
the funds of her said wards
from J. D. Pellow for the sum
of \$350, for them all his interest
all his interest in the reversion
of her said dower lands,
and further to acquire from
said J. D. Pellow for said wards
all interest he may have in the
standing timber thereon down

down to ten inches in diameter
across the stump eighteen inches
from the ground at the time
of cutting being excepted and
reserved to said J P Pellow
with the usual time and rights
given in timber contracts in
said section, in which to cut &
remove it, the that portion of
the said farm lying on the
east side of the county road
leading from Franken to Putnam
Va, exchanging therefore, the
standing ^{timber} on that portion of the
said farm now belonging to the
said manors, said timber being
conveyed to the said Pellow
down to ten inches in diameter
across the stump eighteen inches
from the ground ^{at the time of cutting} and on the
usual terms and conditions
as to cutting and removing
the same contained & given in
timber contracts in this section
and The value of the property in
question
3rd whishes the interest of any
other party would be violated

or not by the foresaid purchase
and exchange. The said
Commissioner will also report
the evidence upon which he
bases his report together with
any other matters ^{generally}
stated deemed pertinent by
himself or which he may be
required to state by any
party interested.

Robert H. Hunt
To the Clerk of the
Circuit Court of
Southampton County.

Turner's Ydr

v

Turner

} Costs

1904 Jan 20 - L.A. Yay. 4.70

" Mar Decision + Copy. 3/52

" June " " 72

" July " " 72

" " Filing Comm report 15

" Sept " " " 15

" Nov Decision + Copy 72

" Filing Cost 40

Filing away papers 25

B 7 M 3.85

Yay 4.70

8.53

1904

Turners' Guardian

Vs(Decree

Turner et als

Entered Nov. 11, 1904
Robert R. Prentiss

Entered
b. D. B. p. 126

In the Circuit Court of

Turner et als
Vs(Decree

In the Circuit Court of

Robert R. Prentiss

Turners' Guardian,

Vs (Decree

Turner et als

In the Circuit Court of Southampton County Va,

In vacation, November 15th 1904

This day this cause (which has duly been made a vacation cause) came on to head upon the papers formerly read, and upon the report of Lucy. A. Turner special commissioner, filed September the 19th 1904, to which report no exceptions have filed (and which report was made in pursuance of a decree rendered in this cause on July the 18th 1904) and was argued by counsel. On consideration whereof, the court doth adjudge, order and decree, that the said report be, and the same is hereby confirmed. And the court doth further adjudge that that the cost of this suit, including a fee of forty six and a half dollars to William Shands (which shall be in full of legal taxed fee) be paid equally by Lucy. A. Turner, Guardian, and J. D. Pretlow. And there being nothing further to be done in this cause, ordered that that the same be removed from the docket.

Robert A. Hunt

To the Circuit Clerk of
Southampton County Va,