1931-006 Chancery Causes Cornelia V. Lane, Damon E. Lane + John Neeley Lane vs 467
Isle of Wight County Harvey Carter Lane et al

other SURNAMES: Latimer, Burroughs, Dodd, Hill, Minga, Fulgham, Laine, Carter

No.

Know all Men by These Presents: That we A. S. Johnson, principal, and The Fidelity And Deposit Company Of Maryland, surety, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of One Thousand Dollars to the payment whereof well and truly to be made we bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

And as to this bond we hereby severally waive the benefit of our Homestead Exemption, and also any right, claim or privilege to discharge any liability arising hereunder to the said Commonwealth, or by virtue of the said office or trust for which this bond is given, with coupons detached from the bonds of this State.

In Testimony Whereof, the said A. S. Johnson, principal, and the said Fidelity & Deposit Company Of Maryland, surety, by R. A. Edwards, its duly authorized agent and attorney in fact, has caused its corporate name and seal to be hereunto affixed, the said seal to be attested by the signature of the said R. A. Edwards, its said agent and attorney in fact, this, the 11th day of January A. D. 1927.

The Condition of the Above Obligation is Such, that if the above bound A. S. Johnson, who was by a decree entered in the Circuit Court of the County of Isle Of Wight, Virginia on the 7th day of September 1926, under the style of Cornelia V. Lane et als Vs. Harvy C. Lane et als, docket No. 467, appointed a Special Commissioner to make sale of real estate,

shall faithfully discharge the duties of his office or trust as such Special Commissioner, , then the above obligation to be void, or else to remain in full force and virtue.

A. S. Johnson [SEAL]

Fidelity and Deposit Company of Maryland

By R. A. Edwards
Attorney-in-Fact

By .....

Its duly authorized agent and attorney in fact.

Attest: R. A. Edwards

Agent and attorney in fact.

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 11th day of Jan. 1927, this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

R. A. Edwards Clerk.

A Copy.
Teste R A Edwards clk

10

Lane et als.

Vs. Cy # 467.

Lane et als.

Copy of Bond.

Filed 1/11/27.

N. A. Edmondson
Clk.

Everett Waddey Co.
Stationers and Printers
Richmond, Va.

Form No. 310—Clerk's Certificate that Commissioner has given Bond. Code 1919, Sec. 6269.

Virginia: In the Clerk's Office of the Circuit **Court of the** County **of** Isle Of Wight.

Cornelia V. Lane et als., Plaintiff,

AGAINST # 467. Chancery.

Harcy Carter Lane et als., Defendant,

I, R. A. Edwards, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 7th day of September, 1926, has been duly given.

Given under my hand as Clerk of the said Court, this 11th day of January, 1927.

R. A. Edwards, Clk.

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, SECOND SEPTEMBER RULES, 1925.

Cornelia V. Lane et als

v) Chancery. _____

Harvey Carter Lane et als.

Order appointong Guardian ad litem for infant defendant.

Upon the motion of the attorneys for the complainants, George F. Whitley, a discreet and competent attorney at law, practicing in this court, is hereby assigned as guardian ad litem to he infent defendant, Frederick Hill, to defend his interests in this suit.

R. A. Edwards, Clerk.

5

Virginia: In the Circuit Court of Isle of Wight County.

Cornelia V. Lane et als

v) Chancery. 467

Harvey Carter Lane et als

Order appointing guardian ad litem for infant defendant.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane,
Damon E. Lane, and
John Neely Lane,..... Complainants.

v) Chancery. 467

Harvey Carter Lane, Mrs
George Harvey Burroughs ~~Burrough~~
and Aletha Burroughs, Dadd-
adults, and Frederick
Hill, an infant under the age of
twenty one years.,..... Defendants.

To the Clerk of the Circuit Court of the County of Isle of Wight:

Issue summons for the defendants to answer complaints bill to be filed at Second September Rules, 1925.

Appoint George F. Whitley, guardian ad litem for the infant defendant, Frederick Hill.

Process for defendants to be delivered to attorneys for the complainants, please.

Johnson & Stephens, for complainants.

$7.50 deposit.

1

Virginia: Circuit Court of the County of Isle of Wight.

Cornelia V. Lane et als.

v) Chancery. 467

Harvey Carter Lane et als.

Memorandum.

Filed Sept. 3rd 1925.

Dfs. Tso

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane et als.

v) Chancery. 467.

Harvey Carter Lane, et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, this day, by leave of court, filed, and to which there is no exception: and it appearing from the said report that the said special commissioner has collected from the purchaser of the land in the bill and proceedings mentioned the sum of seven hundred and ten dollars, the purchase price thereof; that he has disbursed the same, in accordance with the report of the Commissioner in Chancery, filed herein, which is as follows:

R. A. Edwards, Clerk, clerk fees and writ tax,	$ 14.25
Johnson & Stephens, taxed attorney fee,	15.00
R. A. Edwards, Commissioner's report,	15.00
Johnaon & Stephens, fees paid to Sgt. of Portsmouth, for serving processes,	2.50
W. H. Chapman for crying property,	5.00
R. A. Edwards, Agt. Bond premium,	5.00
A. S. Johnson, Special Commissioner, sale fee,	35.50
Smithfield Times, sale notices,	3.50
Johnson and Stephens, draft of deed of conveyance,	10.00
Johnson & Stephens, counsel fee fixed by court,	50.00
Damon E. Lane's attorneys, pro-rata 1927 taxes	9.00
W. E. Lane, County Treasurer, 1926 taxes,	20.08
R. A. Edwards, Clerk, delinquent taxes for 1925,	28.03
Out of share accruing to Cornelia V. Lane, paid to George F. Whitley, attorney for T. J. Cox & Son, to cover judgment reported by Commissioner Edwards,	277.59
The share accruing to F. B. Lane, paid to E. L. Lane to cover judgment reported by Commissioner Edwards,	41.85
To Cornelia V. Lane, balance of her share after payment of judgment mentioned,	10.32
To John Neely Lane, his share of proceeds,	41.85
To Attorney for H. C. Lane, his share,	41.85
To George Harvey Burroughs, his share,	13.94
To Aletha Burroughs Dodd,	13.94
To Damon E. Lane, his share, paid to his attorneys,	41.85
Deposited in Bank of Smithfield for share of Frederick Hill, whose residence is unknown,	13.95

aggregating the sum of $710.00; that vouchers for the disbursements of the said commissioner have been returned and filed with his said report:

On consideration whereof it is adjudged, ordered and decreed that the said report be, and is, hereby confirmed. It is further adjudges, ordered and decreed that the clerk of this court, when the whereabouts of the said Frederick Hill is located, that the matter be reported to the court for disposition of his share of the proceeds of the sale of the said property.

Virginia: Circuit Court of Isle Wight County.

Cornelia V. Lane et als.

v) Chancery. 467.

Harvey Carter Lane et als.

Note for decree

Enter this

Book 9
page 8

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane et als.

v) Chancery. 467.

Harvey Carter Lane, et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Special Commissioner, this day filed, by leave of court, and to which there is no exception, and was argued by counsel: And it appearing from the said report that the said special commissioner, after giving the bond required of him by decree entered herein on the 7th. day of September, 1926, and after having advertised the time, place and terms of sale as by said decree is directed, exposed the land in the bill and proceedings of this suit mentioned to sale, by public auction, at which sale Damon E. Lane was the highest and last bidder, having bid seven hundred and ten dollars; that the said sale was fairly attended and the bid fair: On consideration whereof, it is adjudged, ordered and decreed that the said report and sale be, and the same is, hereby, confirmed: And it is further adjudged, ordered and decreed that upon payment to him of the sum of seven hundred and ten dollars, the said A. S. Johnson shall execute and deliver to the said Damon E. Lane a deed, conveying said property, with covenant of special warranty. Out of the money paid to the said special commissioner he shall pay the taxes due upon the said property, the costs of this suit up to and including final decree, to Johnson and Stephens, the attorneys conducting this suit, for their services herein, the sum of $50.00; and the balance then remaining in his hands, after payment of the taxes and costs aforesaid, and the lien creditors, as shown by the report of Commissioner Edwards, filed herein on the 17th. day of August, 1926, he shall hold subject to the further order of this court.

Virginia: In the Circuit Court of the County of Isle of Wight.

Cornelia V. Lane et als

v) Chancery. 467.

H. C. Lane, et als.

Chan. Order. Book no 8 page 394

Note for decree.

Enter this July 11th 1927.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane,
Damon E. Lane,
John Neeley Lane,.....Complainants.

v) Chancery. 467

Harvey Carter Lane,
George Harvey Burroughs,
Aletha Burroughs Dodd,
and Frederick Hill, the
last named being an infant, ...Defendants.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of R. A. Edwards, Commissioner in Chancery, responsive to a decree entered herein on the 30th. day of November, 1925, filed herein on the 17th. day of July, 1926, and to which no exception has been filed, and was argued by counsel:

And it appearing from the said report that Cornelia V. Lane, Damon E. Lane, John Neeley Lane, Harvey Carter Lane, George Harvey Burroughs, Aletha Burroughs Dodd and Frederick Hill are entitled to a certain lot or parcel of land, of nine acres, more or less, lying situate and being in the County of Isle of Wight, State of Virginia, bounded North by a small stream emptying into a tributary of Jones Creek; East by the said tributary of Jones Creek; South by the County Road, and West by the lands of W. R. Latimer; that the interest of the said Cornelia V. Lane therein is an undivided one half, in fee simple; an undivided one fifth interest in the other half, as alienee of F. Beadles Lane; that the interest of Damon E. Lane therein is one fifth of one half, subject to the dower therein of said Cornelia V. Lane; that the interest of the said John Neeley Lane therein is one fifth of one half, subject to the same dower right; that the interest of George Harvey Burroughs, Aletha Burroughs Dodd and Frederick Hill, in each case, is one third of one fifth of one half subject to the same dower interest as heretofore mentioned; that the said parties to t is suit are, with the exception of the infant defend-

ant, Frederick Hill, over the age of twenty one years; that the said infant defendant was born in July of the year 1912; that all of the parties are resident of the State of Virginia, save and except the said Frederick Hill who was, the last time heard from, in England; that the real estate which is the subject of this suit, nor any distinct or independent part thereof, can be, conveniently and advantageously, divided among the parties entitled to share therein; that the interest of the parties will be promoted by a sale of the entire subject matter and the proceeds from such sale divided as is provided by law in such cases; that there are liens against the said property for the years 1922, 1923 and 1924 for delinquent taxes; that there is a judgment against the interest in said land which was F.B. Lane's, and which he conveyed to the said Cornelia V. Lane; the said judgment being in favor of E. Littleton Laine and being for the sum of $30.20 with interest thereon from May 10th. 1922 till paid, and costs amounting to $3.80; that there is a judgment lien against the interest of the said Cornelia V. Lane, in said land, in favor of T. J. Cox and Son, for $195.94, with interest thereof from November 8th. 1920 till paid, and $3.30 costs; that the proper parties to this suit are, Cornelia V. Lane, in her own right and as widow of Harvey Lane, and Damon E. Lane, John Neeley Lane and Harvey Carter Lane, childred of the said Harvey Lane; and, George Harvey Burroughs and Aletha Burroughs Dodd, grand-children of the said Harvey Lane; and Frederick Hill, a great-grand-child of the said Harvey Lane; that they are all properly before the Court in this cause: On consideration whereof, it is adjudged, ordered and decreed that the said report be, and is, hereby, confirmed. And it is further adjudged, ordered and decreed that A. S. Johnson, who is hereby appointed a special commissioner for that purpose, do, after advertising, by printed posters, posted in five or more public places in the neighborhood of the said real-estate herein mentioned, proceed to make sale of the same at public auction for cash.

But, before the said special commissioner shall do any act

hereunder, he shall enter into a bond, with security deemed sufficient by the Clerk of this Court, and before the said Clerk, in the penalty of $1000, conditioned for the faithful discharge of his duty hereunder.

And the said special commissioner shall make report to the Court of his doings hereunder.

9

Virginia: In Isle of Wight County Circuit Court.

Cornelia V. Lane, et als.

v) Chancery. 467

Harvey Carter Lane, et als.

Note for decree.

Enter this September 7th. 1926.

(Bdc)

Book 8, 339 page

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane, Damon E. Lane,
and John Neeley Lane,

v) Chancery. _____

Henry Carter Lane, George Harvey
Burroughs and Aletha Burroughs
Dodd, adults, and Frederick Hill,
an infant under the age of twen-
ty one years.

This cause, which has duly matured at rules, and in which Cornelia V. Lane, Damon E. Lane and John Neeley Lane are the complainants, and Henry Carter Lane, George Harvey Burroughs and Aletha Burroughs Dodd, are adult defendants, and Frederick Hill, an infant under the age of twenty one years is also defendant, the said adult defendants having bee duly served with process in person, they still failing to appear to plead, demur or answer, came on this day to be heard upon the bill of complaint and upon the answer of George F. Whitley, a discreet and competent attorney at law, practising in this court, duly assigned to said infant defendant as his guardian ad litem to defend his interests in this suit, and upon the answer of said infant defendant, by said guardian ad litem, and upon general replication to said answers, and was argued by counsel:

Upon consideration whereof the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners in Chancery of this court, who will inquire into and report to court:

1. Of what real estate the parties to this suit are entitled, where situate, a description thereof, and the annual and fee simple value, the respective interests of the several parties therein, how acquired, and the full names, ages and residences of the said parties.

2. Whether the said real estate, or any distinct or independent part thereof, can be conveniently and to advantage,

divided among the parties entitled to the same, or if it cannot be so divided, either in its entirety or any distinct or independent part thereof, whether the interests of the parties will be promoted by a sale of the whole subject matter and a division of the proceeds of such sale among them as their several interests may entitle them to.

3. Whether there are any liens for delinquent taxes, or otherwise, against the said real estate, or against the interest of any party therein.

4. Who are the proper parties to this suit, and if they are before the court.

5. Any matter specially stated, deemed pertinent by the commissioner, or which may be required to be ascertained by any party in interests, and reported to the court.

Any evidence taken by the commissioner shall be reduced to writing and returned with his report to the court.

And this cause is continued.

7

Virginia: Circuit Court Isle of Wight County.

Cornelia V. Jane et als.,

v). Chancery. No. 467

Henry Carter Jane et als.

Note for decree.

Enter this

P.D.W.

Nov., 30th, 1928.

J

Book 8
Page 308

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane et als.

v) Chancery. 467.

Henry Carter Lane, et als.

TO HONORABLE BENJAMIN DEY WHITE, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, STATE OF VIRGINIA.

The undersigned, apppointed special commissioner in this cause, by decree entered on the 7th. day of September, 1926, respectfully reports to the Court that:

As directed by said decree, after having given the bond required thereby, and after having advertised sale of the land in the bill and proceedings of this suit mentioned, as directed by said decree, he did, on the 7th. day of July, 1927, sell the same at public auction, in front of the United States Post Office, in the town of Smithfield, County of Isle of Wight, State of Virginia, to Damon E. Lane, he being the highest bidder, having bid the sum and price of seven hundred and ten dollars; that thr sale was fairly attended and the price bid, in the opinion of your commissioner, is a fair price, and the sale should be confirmed.

Your Commissioner would say that there is little or no demand for country real estate in this community, has not been for a great length of time, and so far as any one knows, there will not be for some time to come. Nothing points that way.

Respectfully submitted,

E Johnson

Special Commissioner.

11

Virginia: Circuit Court of Isle of Wight County.

Cornelia V. Lane et als

v) Chancery. 467

H. C. Lane et als.

Report of special commissioner.

Filed July 11th, 1927.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

No. _____

B of S

Smithfield, Va., Novm 28 1927

Pay to the order of E. L. Laine $41 85

Forty one 85/100 Dollars

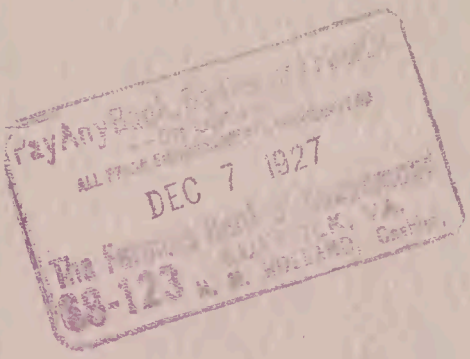
For Shar of F. B. Lane in distribution in Lane v Lane, to apply

On account of Bank of Smithfield, Smithfield, Va.

5
68-233

C. J. Smith, Special Commissioner
Lane v Lane

E. L. Laine
E. Luckton Laine



No. _____

Smithfield, Va. September 22 1927

B & S

Pay to the order of Bank of Smithfield $13.95

Thirteen 95/100 Dollars

For account of Frederick Hall ii Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

E. J. Lane Executor

Lane Hall Lane

BANK OF SMITHFIELD PAID SEP 30 1927 SMITHFIELD VA

No. _____

B of S

Smithfield, Va., September 22 1927

Pay to the order of Damon E. Lane $41.85

Forty one ⅝ Dollars

For share in suit of Lane v.

To the Bank of Smithfield, Smithfield, Va.

5
68-233

Special Commissioner

Lane

BANK OF SMITHFIELD PAID SEP 30 1927 SMITHFIELD VA

Damon & Lane

By Johnson & Stephens

Attorneys for Damon

& Lane

Johnson & Stephens

No. _____

Smithfield, Va. Sept 22 1927

B of S

Pay to the order of Abtha Burroughs Dodson $13.94

Thirteen 94/100 Dollars

For distributive share from sale of land

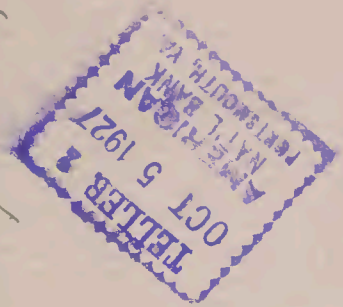
To the Bank of Smithfield, Smithfield, Va.

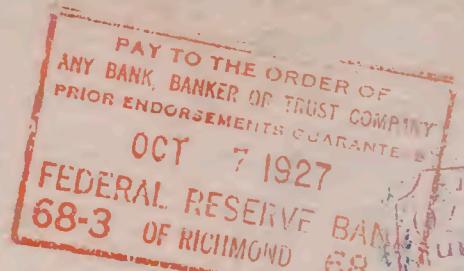
5
68-233

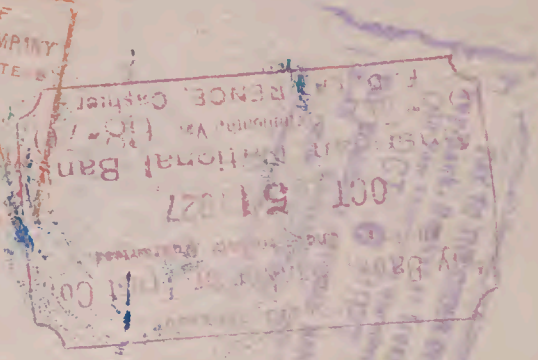
C. J. Brown Special Commissioner
Lane & Lane

PAID
OCT 10 1927
THE BANK OF SMITHFIELD
SMITHFIELD, VA.

Walter Burroughs Woods







No. _____

B of S

Smithfield, Va., Sept 22" 1927

Pay to the order of George Harvey Burroughs $13.94

Thirteen 94/100 Dollars

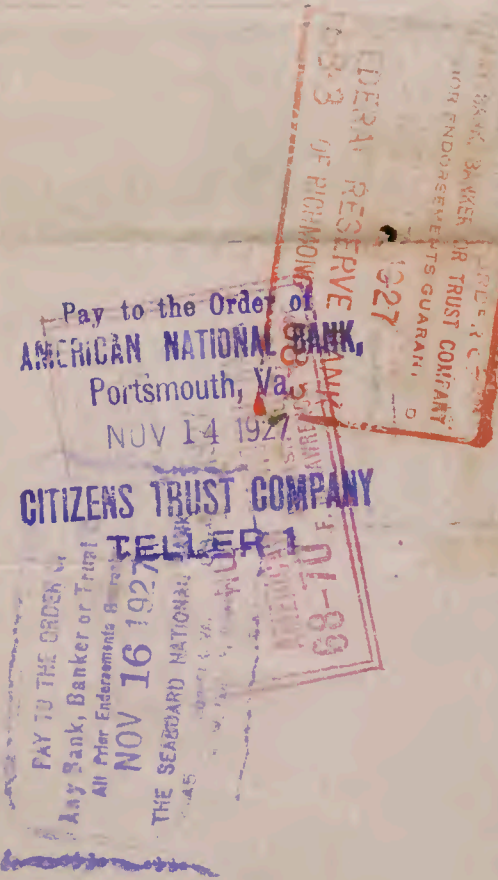
For distributive share from Sale of Landes

To the Bank of Smithfield, Smithfield, Va.

5
68-233

E. P. Smart Special Commissioner
Sale of Lands

George Harvey Burroughs.



No. _____

B of S

Pay to the order of H. C. Lane

Benjamin Mueller Secretary for

Smithfield, Va., September 22 1927

$ 41.85

Forty one 85/100 Dollars

For share in sum of Lane v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

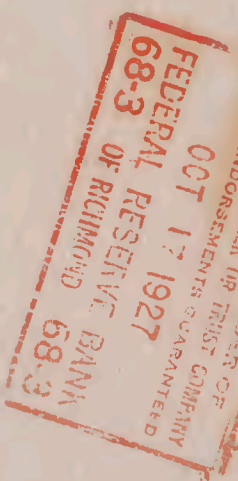
BANK OF SMITHFIELD PAID SEP 19 1927 SMITHFIELD, VA.

C. Johnson, Special Commissioner

v Lane

Benjamin Miller
Atty for H. C. Lane

PAY TO THE ORDER OF
THE VIRGINIA NATIONAL BANK
BENJ. MILLER, Agent



No. _____

Smithfield, Va., September 3 2" 1927

Pay to the order of Jno Neby Lane $41 85

Forty one 85/100 Dollars

For share in pres of Lane & La[illegible] Commissioner

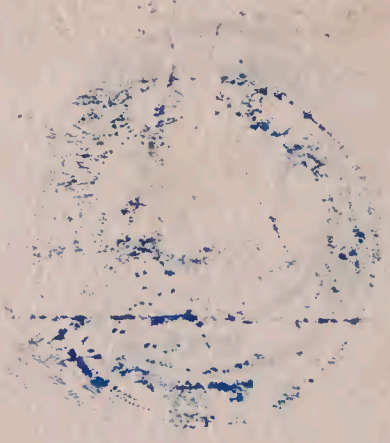
To the Bank of Smithfield, Smithfield, Va.

5
68-233

Lane & Lane

BANK OF SMITHFIELD PAID 1927

Ann Neeby Lane



No. _____

B of S

Pay to the order of Cornelia A Lane

Smithfield, Va., Sept 22 1927

$10.32

Ten & 32/100 Dollars

For balance due her after paying for manure. Pay J Son

To the Bank of Smithfield, Smithfield, Va.

5
68-233

By Jno Cond

Lane & Lane

BANK OF SMITHFIELD SEP 22 1927

Cornelia S. Lane.

Mrs D. E. Lane
22 Holly St
S. Norfolk.

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEED
OCT 11 1927
FEDERAL RESERVE BANK
68-3 OF RICHMOND 68-3

THE BERKLEY NATIONAL BANK
NORFOLK, VA
OCT 10 1927

No. _____

Smithfield, Va., Sept 22 1927

B of S

Pay to the order of George F. Whitley, Clerk $277.57

Two Hundred, Seventy Seven & 57/100 Dollars

For judgment of Coy & Lee v Bruce & Lee

To the Bank of Smithfield, Smithfield, Va.

5
68-233

C. Johnson, Clerk Court
Lane v Lane

SEP 22 1927

Pay ANY BANK OR BANKER
1927
FARMERS BANK
SMITHFIELD, VA.
R. ROWELL, Jr., Cashier

B of S

No. _____

Smithfield, Va., August 26 1927

Pay to the order of R. A. Edwards, Clerk $28.03

Twenty eight ~~~ 03/100 Dollars

For delinquent tax for 1925 on land of Harvey Cornelia Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

Jamison's Ford Commencing
Lane et al's Land

Pay to the Order of
BANK OF SMITHFIELD
SMITHFIELD, VA.
R. A. EDWARDS, Clerk of Court
ISLE OF WIGHT COUNTY

No. _____

Smithfield, Va., August 26th 1927

Pay to the order of W. E. Laine Treasurer $20.08

Twenty and 08/100 Dollars

For 1926 tax on land of Cornelia V. Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

Lynn Conner Lane & Lane

PAID
OF SMITHFIELD
AUG 26 1927

Pay Bank of Smithfield,
Smithfield, Va., or order
W. E. Laine, Treasurer.

No. _____

Smithfield, Va., August 26th 1927

B & S

Pay to the order of Johnson & Stephens, Attorneys for W. E. Lane $9.00

Nine ~~ 00/100 ~~ Dollars

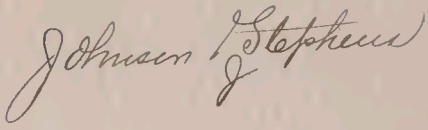
For one note part of taxes for 1927

To the Bank of Smithfield, Smithfield, Va.

5
68-233

J. Johnson,
Sgt. Court, Lane & Lane

BANK OF SMITHFIELD
AUG 27 1927
SMITHFIELD, VA.



No. _____

Smithfield, Va., August 26 1927

B & S

Pay to the order of Johnson & Stephens

Fifty — 00/100 — Dollars

BANK OF SMITHFIELD PAID AUG 27 $ 50.00

For Counsel Fee in Law & Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

G. P. Brown, Special Commissioner
Law & Lane

Johnson J. Stephens

No. _____

Smithfield, Va., August 26, 1927

B of S

Pay to the order of Johnson and Stephens $10.00

— Ten — 00/100 — Dollars

BANK OF SMITHFIELD PAID AUG 27 1927 SMITHFIELD, VA.

For draft of deed to purchaser Law v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

J Johnson
Special Commissioner, Law v Lane

No. _____

Smithfield, Va., August 26 1927

Pay to the order of Smithfield Times $3.50

Three 50/100 Dollars

PAID AUG 27 1927

BANK OF SMITHFIELD SMITHFIELD, VA.

For Sale notices Lane v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

G. T. Wilson, Special Comr. Lane v Lane

Smithfield Town
P.O. Bristow

Johnson St. Stephens

No. _____

Smithfield, Va., August 26 1927

B of S

Pay to the order of C. S. Johnson, Spl Comr $35.50

Thirty five 50/100 Dollars

For Commissions on sale of land in Lane v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

C. S. Johnson, Spl Comr
Lane v. Lane

No. _____

Smithfield, Va., August 26" 1927

B of S

Pay to the order of R. A. Edwards, Agent $5.00

— Five — 00 — Dollars

BANK OF SMITHFIELD PAID SEP 2 1927 SMITHFIELD, VA.

For bond premium on S C bond Lane v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

S. T. Brown
Sht Const Lane v Lane

Pay to the Order of
BANK OF SMITHFIELD
SMITHFIELD, VA.
R. A. EDWARDS, Clerk of Court
ISLE OF WIGHT COUNTY

No. _____

B of S

Pay to the order of N. H. Chapman

Smithfield, Va., August 26 1927

$5.00

Five 00/100 Dollars

For selling property Lane & Lane

To the Bank of Smithfield, Smithfield, Va.

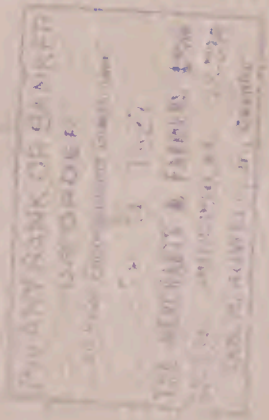
5
68-233

E. T. Thorn
Agent for Lane & Lane

PAID
SEP 3 1927

H. H. Chapman

Pay to the Order of
THE MERCHANTS FARMERS BANK
SMITHFIELD, VA.
Kelly-Jones Motor Company



No. _____

Smithfield, Va., August 26 1927

B of S

Pay to the order of Johnson and Stephens $2.50

Two 50/100 Dollars

For Refund of Fees paid Sgt City of Portsmouth Lowe & Lowe

To the Bank of Smithfield, Smithfield, Va.

5
68-233

E. P. Johnson. Special Commissioner
Lowe & Lowe

PAID
AUG 27 1927
SMITHFIELD, VA.

Johnson Stephens

No. _____

Smithfield, Va. August 26 1924

B of S

Pay to the order of R. A. Edwards, Comr $15.00

— Fifteen — 00/100 — Dollars

BANK OF SMITHFIELD PAID 1927 SMITHFIELD, VA.

For Communion's fee Lane & Lane

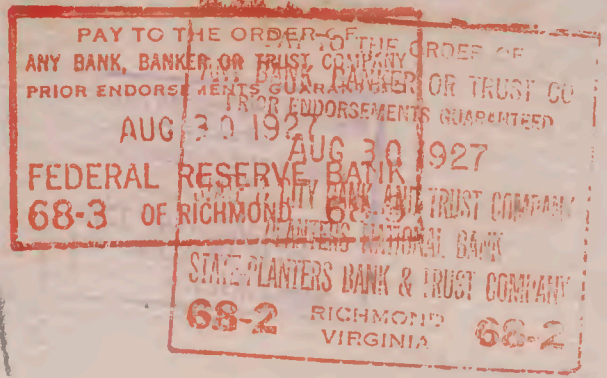
To the Bank of Smithfield, Smithfield, Va.

5
68-233

R. A. Edwards
Sp'l. Commissioner Lane & Lane

R. A. Emmons etc.

AU 7111 W



No. _____

Smithfield, Va., August 26 1927

Pay to the order of Johnson & Stephens, Attorneys $ 15.00

Fifteen 00/100 Dollars

For taxed attorneys fee Lane v Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

E. Johnson. Spl Comr
Lane v Lane

PAID
OCT 7 1927
BANK OF SMITHFIELD, VA.

No. _____

B of S

Smithfield, Va., Aug 26, 1927 1927

Pay to the order of R. A. Edwards. Cir $ 11.50

— Eleven — 50/100 — Dollars

For work two clerk fees in Lane x Lane

To the Bank of Smithfield, Smithfield, Va.

5
68-233

C. P. Jonson. Special Commissioner
Lane x Lane

BANK OF SMITHFIELD PAID AUG 27 1927 SMITHFIELD, VA.

R. A. Earnest

B of S

No. _____

Smithfield, Va., August 26 1927

Pay to the order of R. A. Edwards $2.75

— Two — 75/100 — Dollars

For balance on Clerk's Fees. Lawn Lease

To the Bank of Smithfield, Smithfield, Va.

5
68-233

BANK OF SMITHFIELD PAID SEP 30 1927 SMITHFIELD VA

Dpt Comm Laws

Pay to
Alice Parker -
R. 4. Ecuador N.C. Ark

PAY TO THE ORDER OF
BANK OF SMITHFIELD,
SMITHFIELD, VA.
CHAPMAN & COMPANY
FOR DEPOSIT ONLY

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane et als.

v) Chancery. 467.

Harvey Carter Lane, et als.

To Honorable Benjamin Dey White, Judge of the Circuit Court of the County of Isle of Wight, in the State of Virginia:

The undersigned, special commissioner in the above entitled chancery cause, in said court depending, pursuant to decree entered therein on the 11th. day of July, 1927, has collected from Damon E. Lane, purchaser of the tract of land in the bill and proceedings of said suit mentioned, the sum of one hundred and ten dollars, and out of said amount has disbursed to and for the following:

R. A. Edwards, clerk fees and writ tax, (2 checks)	$ 14.25
Johnson & Stephens, taxed attorney fee,	15.00
R. A. Edwards, Commissioner, for report filed,	15.00
Johnson & Stephens, fees paid Sgt. City of Portsmouth for serving processes,	2.50
W. H. Chapman, for crying property,	5.00
R. A. Edwards, Agt., bond premium,	5.00
A. S. Johnson, special commissioner, sale fee,	35.50
Smithfield Times, sale notices,	3.50
Johnson & Stephens, draft of deed of conveyance,	10.00
Johnson & Stephens, counsel fee fixed by court,	50.00
Damon E Lane's attorneys, prorata of 1927 taxes,	9.00
W. E. Lane, County Treasurer, 1926 taxes,	20.08
R. A. Edwards, Clerk, taxes delinquent for 1925,	28.03
Out of the share accruing to Cornelia V. Lane has been paid to George F. Whitley, attorney for T. J. Cox & Sons to cover judgment reported by Commissioner Edwards,	277.59
The share accruing to F. B. Lane has been paid to E. L. Lane to cover judgment reported by Commissioner Edwards,	41.85

It will be noted that in the report of Commissioner Edwards, filed herein on the 17th. day of August, 1926, that delinquent taxes were due on the said property for the years 1922, 1923 and 1924. It now appears

from certificate of the said Commissioner, who is, also, Clerk of this court, that the delinquent taxes for the years 1922, 1923 and 1924 have been paid.

The amounts so paid out aggregate the sum of $ 532.30, leaving a balance to be distributed among the heirs of said Harvey Lane, according to the report of Commissioner Edwards, of $177.70, and which should be, and has been distributed as follows:

To Cornelia V. Lane, balance of her share, after payment of the judgment above referred to,	10.32
John Neely Lane,	41.85
Attorney for H. C. Lane,	41.85
George Harvey Burroughs,	13.94
Aletha Burroughs Dodd,	13.94
Damon E. Lane,	41.85
Deposited in Bank of Smithfield, for Frederick Hill, evidenced by certificate of deposit filed herewith,	13.95
aggregating the sum of	$ 177.70

which fully accounts for the entire sum of $710.00, the purchase price of the property aforesaid.

Vouchers for all of said disbursements are attached to this report, and the certificate of deposit, covering the amount due the Frederick Hill is returned, herewith to the court.

Respectfully submitted,

A. S. Johnson, Special Commissioner.

State Of Virginia.

County Of Isle Of Wight To-Wit;

I, R. A. Edwards,Clerk of the Circuit Court of the County of Isle Of Wight,Virginia,do hereby certify that there are at this time taxes delinquent on the tract of 19 acres standing in the name of Harvey and Cornelia Lane,only for the year of 1925,which said tract of land is situated in the County of Isle Of Wight,Virginia in Newport District, which said taxes,penalties,interest and costs amount to $28.03,to the 8th day of July 1927,and I do further certify that taxes reported on the aforesaid tract as delinquent for the years of 1922,23,and 24,in a Commissioners report in the suit of Lane et als Vs. Lane et als., have been fully paid and marked satisfied.

Given under my hand this the 8th day of July 1927.

R. A. Edwards Clerk.

Lane et ds

K cy.

Lane et ds.

Culpe

Virginia: Circuit Court
of Isle of Wight County.

Lane et als

v) Chancery. 467

Lane et als.

Report of special commissioner.

8 July 1927

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane,
Damon E. Lane,
John Neely Lane,

v) Chancery.

Harvey Carter Lane,
George Harvey Burroughs,
Aletha Burroughs Dodd,
Frederick Hill,
George J. Whitley, guardian
ad litem for Frederick Hill.

The papers in the chancery suit, pending in the Circuit Court of the County of Isle of Wight, State of Virginia, under the stule as set out above, having been referred to me, one of the Commissioners in Chancery for the said Court for the execution of a decree entered therein on the 30th. day of November, 1925, which directs the following inquiries to be made, to-wit:

1. Of what real estate the parties to this suit are entitled, wheressituate, a description and the annual and fee simple values thereof, the respective interests of the several parties therein, how acquired, and the full names, ages and residences of the said parties:

2. Whether or not the said real estate, or any distinct or independent part thereof, can be conveniently and to advantage, divided among the parties entitled to the same, or if it cannot be so divided, either in its entirety or any distinct or independent part thereof, whether theinterests of the parties will be promoted by a sale of the whole subject matter and a division of the proceeds of such sale among them as their several interests may entitle them to:

3. Whether there are any liens for delinquent taxes, or otherwise, against the said real estate, or against the interest of any party therein:

4. Who are the proper parties to this suit, and if they are before the court:

5. Any matter specially stated, deemed pertinent by the Commissioner, or which may be required to be ascer ained by any party in interest, and reported to the Court:

You are hereby notified that I will, at the office of Johnson & Stephens, Attorneys at Law, in the town of Smithfield, County of Isle of Wight, State of Virginia, on the 21st. day of ~~November~~ December, 1925, at ten thirty o'clock in the morning of th t day, proceed with the execution of said decree.

R. A. Edmunds
Commissioner in Chy.

Service is hereby accepted for Cornelia V. Lane, Damon E. Lane, John Neely Lane, and Harvey Carter Lane.

Johnson & Stephens,
Their attorneys.

Continued the execution of the decree mentioned in this notice on a ccount of the absence of Alethа Burroughs Dodd and George Harvey Burroughs. Harvey Carter Lane being present in person, as well as the guardian ad litem, and A. S. Johnson, of Johnson & Stephens, attorneys for Cornelia V. Lane, Damon E. Lane, John Neeley Lane and Harvey Carter Lane.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane et als

v. Chancery.

Henry Carter Lane, et als.

To George Harvey Burroughs and Aletha Burroughs Dodd:

Take notice that on the 20th. day of April, 1926, at the office of Johnson and Stephens, Attorneys, in the Post Office building, in the town of Smithfield, County of Isle of Wight, State of Virginia, beginning at eleven o'clock A.M., I shall proceed with the execution of the decree entered by the Circuit Court of the County of Isle of Wight, State of Virginia, on the 30th. day of November, 1925, in the chancery cause therein pending under the general style as above shown, which decree requires the following inquiries to be made:

1. Of what real estate the parties to this suit are entitled, where situate, a description and the annual and fee simple values thereof, the respective interests of the several parties therein, how acquired, and the full names, ages and residences of the said parties.

2, Whether the said real estate, or any distinct or independent part thereof, can be conveniently and to advantage divided among the parties entitled to the same, or if it cannot be so divided, either in its entirety or any distinct or independent part thereof, whether the interests of the parties will be promoted by a sale of the whole subject matter and a division of the proceeds of such sale among them as their several interests may entitle them to.

3. Whether there are any liens for delinquent taxes, or otherwise, against the said real estate, or against the interest of any party therein.

4. Who are the proper parties to this suit, and if they are before the court.

5. Any matter specially stated, deemed pertinent by the Commissioner, or which may be required to be ascertained by any party in interest, and reported to the court.

Any evidence taken by the commissioner shall be reduced to writing and returned with his report to the court.

Given under my hand this 13th. day of April, 1926.

R. A. Edwards

Commissioner in Chancery.

Executed this 17th day of April
1926 in the City of Pittsburgh Pa by
delivering a copy of the within Notice
to George Harvey Burroughs
& Aletha Burroughs Dodd wife
R E Sloan City Sergt.
J L Talbot Deputy City Sergt.

Service for Cornelie W. Lane, Damon E. Lane, John Leeley Lane,
and Harvey Carter Lane is hereby accepted.
John S Clayton
Their attorneys,

Lgk. Field

Sallie Carter being dulynsworn, deposes and says:

Q. Please state your name, age and residence? Sallie Carter, I am Thirty seven years, and live in South Norfolk.

Q. Are you any relation to Mr. Harvey Lane or Mrs. Cornelia V. Lane? I am the daughter of Mrs. Lane by a former marriage.

Q. When did Mr. Harvey Lane die? He died in February 1912.

Q. Do you know how many times he was married? Three times.

Q. Did he leave any children by his first wife? He left one, Miss Annie, who married Mr. Samuel Burroughs of Portsmouth, Va.

Q. Is Mrs. Burroughs living? No she died long time before Mr. Lane died.

Q. Did she leave any children? Three, Hattie, Harvey and Aletha.

Q. Are they living, or any of them? Harvey and Aletha are living. Hattie is dead.

Q. When did Hattie die? She died in July, 1912, July 29th.

Q. Did she leave any children? She left one, which was born when she died.

Q. Where is that child? I do not know, I know that he was taken to England, and where he is now I do not know. I think he was born July 26th. 1912, a few days before his mother died.

Q. Do you know the ages of George Harvey Burroughs and Aletha Burroughs Dodd? I do not, exactly, they are grown, that is they are over the age of twenty one years. They are between twenty one and thirty years as well as I can say.

And further this deponent saith not.

VIRGINIA,

IN THE CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT:

....o0o....

Cornelia V. Laine et als,

v.

Harvey Carter Laine et als.

....o0o....

The testimony of W. R. Latimer, and others, taken before me, R. A. Edwards, a Commissioner in Chancery of the Circuit Court of Isle of Wight County, State of Virginia, pursuant to notice, on the 20th. day of April, 1926, in the office of Johnson & Stephens, Attorneys at Law, in the town of Smithfield, State of Virginia, beginning at ten thirty in the morning of that day.

Present: Harvey Carter Laine, in his own proper person; and, A. S. Johnson, of Johnson & Stephens, Attorneys for Cornelia V. Laine, Damon E. Laine, John Neely Laine, Geo. Harvey Burroughs and Aletha Burroughs Dodd; and Geo. F. Whitley Guardian ad Litem for Frederick Hill.

----o0o----

Mr. W. R. Latimer being duly sworn deposes and says:-

Mr. Johnson:

Q. Please state your name, age, residence and occupation.

A. W. R. Latimer, sixty nine years of age, reside in Isle of Wight County, Virginia, and am a farmer.

Q. This suit which has been brought by Mrs. Cornelia V. Laine and two of her children to partition a piece or land, in Isle of Wight County, Virginia, which was conveyed to Harvey Laine and Cornelia V. Laine on the 24th day of April, 1901, by W. R. Latimer and wife, the deed therefor being entered of record in the Clerk's Office of Isle of Wight County, Virginia, in D. B. 67, page 314, containing nine acres, more or less and bounded on the

South by the main road, East by a tributary of Jones Creek, North by a small stream or gut, emptying into that tributary and West by the lands of W. R. Latimer, the line being defined by a ditch: Are you familiar with this piece of land?

A. Yes sir, I am the person who made the conveyance and I live adjoining it at this time.

Q. Mr. Latimer, do you know Mrs. Cornelia V. Laine, Damon E. Laine, John Neely Laine, Harvey Carter Laine, Geo. Harvey Burroughs and Aletha Burroughs and Frederick Hill?

A. I know all of them except Geo. Harvey Burroughs and Aletha Burroughs Dodd, I do not know them.

Q. I understand that Mr. Harvey Laine was married three times, Geo. Harvey Burroughs and Aletha Burroughs Dodd I understand to be grand children, the children of Anna Burroughs, deceased, who married Samuel Burroughs. The infant defendant, Frederick Hill, is an only child of Hattie Burroughs, deceased, a daughter of the said Anna Burroughs. You do not know them? A. No.

Q. If all of these are the correct heirs of Harvey Laine, who I understand died intestate, it appears that the property would be properly divisible as follows, one half would go to the heirs of the said Harvey Laine, subject to the dower of his widow, Cornelia V. Laine in that one half, and would be divisible into five parts, that is to say Damon E. Laine would take one share, John Neely Laine would take one share and Geo. Harvey Burroughs, Aletha Burroughs Dodd and Frederick Hill would take one share and F. Beadles Laine, or his grantee, would take one share: Can this piece of property be conveniently and to advantage divided among these parties, that is can it be divided into five parts without destroying its value?

A. No, of course not.

Q. Does the whole nine acres lie together in one tract?

A. Yes sir, one tract.

Q. Can any distinct or independent part thereof be conveniently and to advantage divided among the parties entitled thereto?

A. No, I shouldn't think so.

Q. Would it be to the interest of all parties to make sale of the whole and divide the proceeds, giving to each that portion which the law entitles them to?

A. Yes.

Q. What in your opinion is the rental value per year for this piece of land?

A. Seventy five dollars a year would be a big rent.

Q. Do you know what it rents for now?

A. No sir.

Q. Is there a dwelling house on the place?

A. Yes.

Q. In what condition is that dwelling house?

A. Very bad condition.

Q. How long has it been built?

A. It was built when he bought the property.

Q. Has it been well kept up?

A. No, it's in very bad condition.

Q. Has it ever been painted?

A. No.

Q. Are there out buildings?

A. The out buildings are all gone down except the smoke house, there's a little smoke house there, the barns and stables are all gone.

Q. What do you estimate to be a fair fee simple value, that is what is the place worth in money?

A. My judgment on it, Mr. Johnson, about Seven Hundred and

and fifty dollars, like it stands, it is in very bad shape, very bad shape.

Q. Do you know when Mr. Laine died?

A. I couldn't tell you the date exactly,

Q. The deed for the piece of property calls for nine acres, is there any more land in this tract than nine acres, in your opinion?

A. There are about nine acres of up land, there is some more marsh, which makes it around sixteen or seventeen acres.

And further this deponent saith not-

.....

E. C. Minga being duly sworn deposes and says:

Mr. Johnson:

Q. Please state your name, age, residence and occupation.

A. E. C. Minga, fifty seven years old, live in Isle of Wight County, farming is my occupation.

Q. Are you acquainted with the land which was owned, jointly by Mr. and Mrs. Harvey Laine at the time Mr. Laine died, which adjoins the land of W. R. Norsworthy.

A. Yes.

Q. What in your opinion is a fair annual value for this piece of land?

A. Rental value Seventy or Seventy five dollars.

Q. What is a fair fee simple value?

A. Value of it, I shouldn't say over Seven or Seven Hundred Dollars.

Q. One half of this piece of land is owned in fee by Mrs. Laine and the other one half by the heirs of Mr. Harvey

Laine, subject to the dower of his widow and according to the record is divisible into five parts: This being true can this piece of property be conveniently and to advantage divided among the parties entitled to share therein?

A. No.

Q. Can any distinct or independent portion thereof be conveniently and to advantage divided?

A. No.Q

Q. Would it or would it not be to the interest of all parties to make sale of the entire tract and divide the proceeds of sale among the parties according to their respective rights?

A. Yes.

And further this deponent saith not-

.....

A. S. Fulgham being duly sworn deposes and says:

Mr. Johnson:

Q. Please state your name, age, residence and occupation.

A. A. S. Fulgham, thirty seven years old, reside in Isle of Wight, farmer.

Q. Are you acquainted with the piece of land in Isle of Wight,County, Virginia, adjoining the land of Mr. W. R. Latimer, and owned jointly by the estate of Harvey Laine and Mrs. Harvey Laine?

A. Yes. I live upon this piece of land and have been living on it for about two years. I have resided right in that neighborhood all of my life.

Q. Do you rent the piece of land?

A. Yes sir.

Q. How much rent do you pay for it?

A. I lived across the road from it and nearly two years ago my house burned down and I moved over there and occupied the residence and have been cultivating the land ever since. We never had any agreement as to the rent I should pay. I have paid her a hundred dollars for the time I have occupied it.

Q. How much of this land is high land and how much marsh?

A. There is about six acres of open land and three or four acres of wood land in hills and bottoms and at least five or six acres in marsh. The marsh is of very little if any value, not a hard marsh it's wet.

Q. What in your opinion is a fair fee simple value for the place?

A. The sale value I think Mr. Minga and Mr. Laine very well stated the price. Seven Hundred and fifty or Eight Hundred Dollars is a very good price for it.

Q. What in your opinion is a fair annual or rental value?

A. The condition I am living under right at this time it is of very little value, no water and no out buildings, I've had no water since April and as they say Seventy Five or Seventy Dollars is a big rent under the ill conveniences there.

And further this deponent saith not-

.....oOo.....

Harvey Carter Laine, being duly sworn deposes and says:

Mr. Johnson:

Q. Please state your name, age, residence and occupation.

Harvey Carter Laine, thirty two, occupation salesman, reside at 144-9th Street, Norfolk, Virginia.

Q. You are the son of Mr. Harvey Laine, I believe?

A. Yes.

Q. When did he die?

A. February 15, 1913.

Q. Did he leave a will?

A. No.

Q. How many times was he married?

A. Three.

Q. How many children did he have by his first marriage?

A. One.

Q. Who was that child?

A. Her name was Anna Laine and married Mr. Samuel Burroughs of Portsmouth, Virginia.

Q. Is she living?

A. I don't know.

Q. Were there any children by the second wife?

A. Yes, I am the child by the second wife and the only child.

Q. Were there any children by the third wife?

A. Yes, and they are Damon E. Laine, John Neely Laine, and F. B. Laine.

Q. Are these last named children by the last wife over the age of twenty one years.

A. Yes.

Q. You have been present and have heard the testimony of Mr. Latimer, Mr. Minga and Mr. Fulgham- are the values of the property as given by them correct in your judgment ?

A. I don't know, I am not familiar with it, I have been away since before my father's death, and of course I'm not familiar with it.

And further this deponent saith not-

.....oOo.....

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane,
Damon E. Lane,
John Neeley Lane:

v) Chancery. 467

Harvey Carter Lane:
George Harvey Burroughs,
Aletha Burroughs Dodd,
Frederick Hill, and
George F. Whitley, guardian ad litem for Frederick Hill.

TO HONORABLE BENJAMIN DAY WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, STATE OF VIRGINIA:

The papers in the above entitled causepending on the chancery side of your court, the Circuit Court of the County of Isle of Wight, in the State of Virginia, having been referred to the undersigned, one of the Commissioners of said Court, for the execution of a decree entered therein on the 30th. day of November, 1925, respectfully reports to the court that after issuing notice to the parties to the said suit that he would, on the 21st. day of December, 1925, at the office of Johnson & Stephens, attorneys at law, in the town of Smithfield, Virginia, proceed with the execution of said decree, he attended at the time and place mentioned in said notice, where all of the parties, either in person or by counsel, appeared, save and except George Harvey Burroughs and Aletha Burroughs Dodd. The execution of the said decree was then ~~adjourned~~ Continued and again notice was made that the said Commissioner, would, at the same place, on the 20th. day of April, 1926, at eleven o'clock in the morning, proceed with the execution of said decree, at which time and place he proceeded with the execution of the said decree, all parties having notice of the hearing, as will appear by copies

of notice hereto attached, showing service or acceptance of notice.

The evidence of W. R. Latimer, E. C. Minga, A. S. Fulgham, Harvey Carter Lane and Sallie Carter, competent witnesses, was taken, reduced to writing, and is herewith returned with this report, to be read as a part thereof.

At the hearing all of the parties were present, either in person or by counsel, except George Harvey Burroughs and Aletha Burroughs Dodd, The last two named were duly served with notice as will appear upon a copy hereto attached, showing service by the Sergeant of the City of Portsmouth.

The testimony was taken, the examination being conducted by Mr. A. S. Johnson, of counsel for the complainants, in the presence of Mr. George F. Whitley, attorney at law, the guardian ad litem, for the infant defendant, Frederick Hill.

From the evidence so taken and the records filed in the Clerk's Office, your Commissioner in advised, and reports:

1. That Cornelia V. Lane, Harvey Carter Lane, Damon E. Lane, John Neeley Lane, George Harvey Burroughs, Aletha Burroughs Dodd and Frederick Hill are seized and possessed of certain real estate, situate, lying and being in the County of Isle of Wight, State of Virginia, containing nine acres, be the same more or less, bounded on the South by the County Road, East by a tributary of Jones Creek; North by a small stream emptying into that tributary; and West by the land of W. R. Latimer. The interests of the several parties here mentioned in said land is as follows:

Cornelia V. Lane, one half undivided interest in the whole:

Cornelia V. Lane, one fifth undivided interest in the remaining half, subject to the dower of herself, purchased from F. E. Lane.

Damon E. Lane, one fifth of one half, subject to the dower of Cornelia V. Lane:

John Neeley Lane, one fifth of one half, subject to the dower of Cornelia V. Lane:

Harvey Carter Lane, one fifth of one half, subject to the dower of

Cornelia V. Lane:

Aletha Burroughs Dodd, one third of one fifth of one half, subject to the same dower right:

George Harvey Burroughs, one third of one fifth of one half, subject to the same dower right:

Frederick Hill, the infant son of Hattie Burroughs Hill, one third of one fifth of one half, subject to the same dower right.

The land mentioned in the Bill of Complaint was conveyed to Harve Lane and Cornelia V. Lane, share and share alike. At the time of the death of Harvey Lane, who died intestate, he left him surviving, as his own children, Harvey Carter Lane, F. Beadles Lane, Damon E. Lane, and John Neeley Lane. He had t predecease him, one child, Annie Burroughs, sometimes called Anna Burroughs. She left three children, namely, George Harvey Burroughs, Aletha Burroughs Dodd, and Hattie Burroughs Hill. Hattie Burroughs Hill predeceased Harvey Lane, and left her surviving a husband, and one child, Frederick Hill, the infant. The infant child, the last time heard from, was in England. In a general running conversation your Commissioner was advised that Mr. Frederick Hill, father of the infant, was an Englishman, in the cotton business, and as soon as his wife died some of his relatives took the infant child to England, and but little has been heard of him since.

A diagram is attached to this report, making clear the descent of this real estate, the same immediately following:

Harvey Lane

1st. wife (dead) Annie Burroughs, (dead) Left: George Harvey Burroughs, Aletha Burroughs Dodd, Hattie Hill, (dead) she left Frederick Hill. who is now an infant.	2nd. wife. (dead) left Harvey Carter Lane. 3rd. wife Cornelia V. Lane, left F. Beadles Lane, Damon E. Lane, John Neeley Lane.

Samuel Burroughs and Frederick Hill, husbands of Annie Burroughs, who was Lane, and Hattie Burroughs Hill, who was Burroughs, take no interest in this property, as both of their wives predeceased Harvey Lane.

The annual value of the said property is seventy or seventy five dollars, and the fee simple value is seven hundred or seven hundred and fifty dollars.

Harvey Lane, the fee simple owner of one half of the tract of land herein mentioned died intestate, in February, 1913, and the one half undivided interest, subject to the dower therein of Cornelia V. Lane, descended to the children and the grand-children and the great grand-child named in the proportions already set out.

2. The said real estate lies in one piece, and cannot, with convenience be separated, and cannot be conveniently and to advantage divided among the parties entitled to share therein, and the only convenient and advantageous way it can be divided is to make sale of the whole and divide the proceeds under the direction of the court.

3. There are liens for delinquent taxes, upon the land in this suit mentioned, as follows: 1922, $23.97 and interest thereon from December 15th. 1922: 1923, $21.89, with interest thereon from the 15th.of December, 1923: 1924, $24.68, with interest thereon from December 15th 1924 till paid. To these amounts the clerk's fees for calculating interest, and other costs provided to be paid to him in such cases will have to be added.

January 24th. 1924, F. B. Lane, one of the children of the said Harvey Lane and Cornelia V. Lane, conveyed his interest in the said property to the said Cornelia V. Lane. On November 1st. 1922, E. Littleton Laine recovered a judgment against the said F. B. Lane for $30.20 with interest thereon from May 10th. 1922 till paid,and $3.80 costs. This judgment is a lien upon the interest of the said F. B. Lane.

The husband of Annie Burroughs and the husband of Hattie Hill take no part of said property, as both their h

T. J. Cox and Son, on the 24th. day of January, 1923, recovered a judgment against Mrs. Harvey Lane, sometimes called Cornelia Lane, for $195.94, with interest thereon from November 8th., 1920 till paid and $3.30 costs.

There appear to be no other liens of record against the said property.

4. The proper parties to this suit are named in this report, and they are all properly before the Court.

Respectfully submitted,

R. A. Edwards
Commissioner in Chancery.

Commissioner's fee, $ 15.00

I see no objection to the confirmation of the foregoing report:

Geo. T. Whitley.
Guardian ad litem for Frederick Hill, the infant defendant herein.

8

Virginia: Isle of Wight
County Circuit Court.

Cornelia V. Lane et als.

v) Chancery. 467

H. C. Lane et als.

Report of Commissioner
in Chancery.

Filed August 17th. 1926.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Harvey Carter Lane

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the 2nd Monday in September, 1925, to answer a bill in chancery exhibited against Wm. Mason in our said Court by Cornie V. Lane, Damon E. Lane & Jno Kirby Lane

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Courthouse, this 3 day of September, 1925, and in the 150 year of the Commonwealth.

R. A. Edwards Clerk.

Service of the above accepted:

Harvey Carter Lane

Harvey Carter Lane,

Benj. Mason, his counsel.

Cornelius V Lane et al

v } Chancery 467

Harvey Coates Lane et al:

Commonwealth of Virginia,

Sgt Of The City Of Portsmouth.
To the Sheriff of Isle of Wight County — Greeting:

WE COMMAND YOU, That you summon George Harvey Borroughs, and Aletha Borroughs, Dodd.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the Third Monday in September, 1925, to answer a bill in chancery, exhibited against them et als in our said Court by Cornelia V. Lane, Damon E. Lane, John Neely Lane,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 3rd day of September, 1925, and in the 150th year of the Commonwealth.

R. A. Edwards Clerk.

3 Portsmouth

Cornelia V. Lane et als

vs. Eq. } 467

Harvey Carter Lane et als

Executed this 14th day of September
1923 in the City of Portsmouth, Va., by
delivering a copy of the within Summons
to George Harvey Borroughs & Aletha Borroughs Dodd. in person.

R E Glover City Serg't.

by J D Talbot Deputy Serg't

Sgt. Fee $1.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane, et als.

v) Chancery. _____

Harvey Carter Lane et als.

The answer of Frederick Hill, an infant under the age of twenty one years, by George F. Whitley, his guardian ad litem, appointed to defend him in this suit, to a bill in chancery filed against him, and others, in the Circuit Court of the County of Isle of Wight, State of Virginia, by Cornelia V. Lane and others.

This respondent saving and reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer thereto, or so much thereof as he may be advised that it is material for him to answer, answers and says:

That he is an infant, of tender years, and by reason of such infancy he is incapable of understanding or of taking care of his rights and interests herein; and that he, therefore, commends himself, and his rights and interests in this cause, to the protection of the court, and prays that no decree or order may be entered that may tend to his prejudice.

And now having fully answered the complainant's bill, this respondent prays hence to be dismissed, with his reasonable costs, etc.

Geo. F. Whitley.
Guardian ad litem for Frederick Hill

6

Virginia: Circuit Court County of Isle of Wight.

Cornelia V. Lane,

v). Chancery. No. _____

Harvey Carter Lane et als.

Answer of guardian ad litem.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Cornelia V. Lane, Damon E. Lane
and John Neeley Lane,

v) Chancery. _____

Henry Carter Lane, George Harvey Burroughs and Aletha Burroughs Dodd, adults, and Frederick Hill, an infant, under the age of twenty one years.

TO HONORABLE BENJAMIN DEY WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Humbly complaining, your complainants, Cornelia V. Lane, Damon E. Lane and John Neeley Lane, show to the Court the following case, to-wit:

1. That W. R. Latimer and wife, by their deed bearing date the 24th. day of April, 1901, of record in the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, as of the 5th. day of May, 1902, in Deed Book 67, page 314, conveyed to Harvey Lane and Cornelia V. Lane a certain tract of land in the County of Isle of Wight, State of Virginia, containing nine acres, be the same more or less, bounded as follows, to-wit: on the South by the main road, on the East by a tributary of Jones Creek, on the North by a small stream or gut emptying into said tributary, and on the West by a ditch running through the field of said W. R. Latimer.

2. That the said Harvey Lane died on or about the _____ day of _____, intestate, more than one year next preceeding the institutition of this suit, leaving him surviving as his widow and heirs at law, to-wit: Cornelia V. Lane, his widow, Damon E. Lane, a son, F. Beadles Lane, a son, John Neeley Lane, a son, Harvey Carter Lane, a son, George Harvey Burroughs, a grand-son, Aletha Burroughs Dodd, a grand-daughter, the children of Anna Lane, a daughter, who married Samuel Burroughs, and who died before said Harvey Lane, and Frederick Hill, a great-grandson, who was the child of Hattie

Burroughs, a daughter of said Anna Burroughs and Samuel Burroughs.

3. That at the time of his death the said Harvey Lane and his wife, Cornelia V. Lane, were the joint owners of the parcel of land hereinbefore described.

4. That F. Beadles Lane, one of the sons of the said Harvey Lane, has conveyed his interest in said parcel of land to one of your complainants, the said Cornelia V. Lane, as will appear of record in the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia.

5. That the said real estate is, as your complainants are informed and believe, susceptible of partition among tye parties entitled to share therein, but should it not be, either in its entirety, or some distinct and independent part thereof, then they believe, and here state, that the interests of all the interested parties will be promoted by a sale of the whole and a division of the proceeds from such sale among the parties entitled to share therein, according to their respective rights.

In consideration whereof, and forasmuch as your complainants are remediless, save in a court of conscience, where matters of this kind are alone and properly cognizable, they pray that the said Harvey Carter Lane, George Harvey Burroughs and Aletha Burroughs Dodd, adults, and Frederick Hill, infant, be made parties defendants to this bill of complaint, and required to answer the same, though not under oath, answer under oath being hereby expressly waived, the said infant defendant by his proper guardian ad litem, and the adults in their own proper person; that a discreet and competent attorney at law, practicing in this court, be assigned the said infant, Frederick Hill, who shall, also, answer the said bill of complaint; that proper process issue; that the said real estate be divided among the parties entitled to share therein in ite entirety, or some distinct and independent part thereof, or, if it cannot be so divided that the whole shall be sold and a divisionmmade of the proceeds of sale among

the several parties entitled to share therein according to their respective rights; that all proper orders and decrees may be made, and entered, accounts taken, inquiries directed; and that your complainants may have all such further, other and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

Notice is hereby given that the court will be asked to make allowance to the attorneys prosecuting this suit on behalf of the complainants, of proper fees, to be paid out of the funds coming into the hands of the court in this cause.

And your complainants will ever pray, etc.

Cornelia V. Lane,
Damon E. Lane,
John Neeley Lane,

By counsel.

_____, p.q.

4

Virginia: In the Circuit Court of the County of Isle of Wight.

Cornelia V. Lane et als

v) Chancery._____

Harvey Carter Lane et als.

Bill of complaint.

2nd Sept. Rules 1925

Filed.

Second September Rules 1925
Bill filed. Summons returned
executed. Order appointing
Gdn ad litem. Answer of in-
fants defendant Gdn
ad litem filed. Decree nisi
as to def defendants

8th October Rules 1925
Cause set down for
hearing

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut