1933-016 Chancery Causes: Rebecca Watkins & al vs Richard Tynes & al
Isle of Wight County Petition of Allean Watkins & al

366

other surnames: Roberts, Bidgiod, Edwards, Thomas, Black, Edmonds, Pretlow, Hays, Wingfield, James, Jones, Craves

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

Ine re-petition of Allean Watkins et als.
to pay money into court, awarded as owelty
of partition, in the division of the lands
of James R. Tynes, deceased, for distribution.

This matter came on this day to be again heard upon the papers formerly read, and upon the report of R. A. Edwards, commissioner in chancery, this day, by leaveof court, filed, and to which there was no exception, and was argued by counsel:

And it appearing to the court that in the suit then pending in this court on the 6th. day of April, 1921, docket number 366, under the general style of Watkins et als. v. Tynes et als. and in which the lands of James R. Tynes was partitioned, Rebecca Watkins and the heirs of Rosa Lee Tynes, daughters of the said James R. Tynes should pay, as owelty of partition, the sums of three hundred dollars and seventy five dollars, respectively, to be properly divided between and among and paid to the distributees of the said James R. Tynes and his deceased heirs; after the payment of counsel fee and the costs of said suit, as set forth therein; that neither of said sums have been paid; that Rebecca Watkins, Emma Roberts; Sarah E. Bidgood and Neolis Edwards, have departed this life simce the entry of said decree, leaving as their distributees the following named:

Rebecca Watkins:	Allean Watkins, Frank Watkins, Martha Black, Emily Watkins and Joseph Watkins, all of whom are of age, and all her children:
Emma Roberts:	William H. Roberts, husband, and the following named children: Minnie L. Edwards, Mary E. Watkins, James J. Roberts, Rosa Jones, John Wesley Roberts and Nurney Roberts, and an adopted child, Vihie Graves, all of whom are of age:
Sarah E. Bidgood:	James Bidgood, Winston Bidgood, Lessie May Bidgood, Delma Bidgood and Geneva James, all of whom are her children and of age;
Neolis Edwards:	Ernest Edwards, husband, and infant children, namely- Goldie Edwards, Ernest Edwards, Dora Lee Edwards, Willie Morris Edwards and Charlie Edwards:

that the said Nancy Edmonds, Cerease Edwards and Margaret Thomas, and the distributees of Emma Roberts and Sarah E. Bidgood have assigned their interests in said funds

to John Wesley Roberts, in writing, the said writings being filed with the report of the commissioner her in referred to: all of which appears in the report of the Commissioner, this day filed:

Upon consideration whereof, the court doth adjudge, order and decree that the report of the commissioner be, and is, hereby, confirmed; and that the petitioners, the heirs of the said Rebbecca Watkins, and the heirs of the said Rosa Lee Tynes pay to the clerk of this court the sums of three hundred dollars and seventy five dollars, respectively, with interest thereon from the 6th. day of April, 1921, till paid; and, that the said clerk shall, out of said moneys pay the costs of the suit of Watkins et als. v. Tynes et als; seventy five dollars to Parke P. Deans, counsel, for conducting the said suit; to Johnson and Stephens for conducting this proceeding; and the balance he shall divide into six equal parts, the parts of the distributees of Emma Roberts and Sarah E. Bidgood and the parts of Nancy Edmonds, Cerease Edwards and Margaret Thomas, he shall pay to John Wesley Roberts, or his attorney; the parts of the distributees of Rebecca Watkins to them, or their attorney; the parts of the distributees of Neolie Edwards to Ernest Edwards, her husband, to be used by him for the maintenance and support of the children of Neolie Edwards; and the part of the distributees of Rosa Lee Tynes to Richard H. Tynes, to be used by him in the same manner. Receipts for all of said payments shall be taken and filed with the papers in this proceeding, and report ~~and this son for record.~~ his proceedings.

And this proceeding is continued.

4

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

In re-petition of Allen Watkins et als to pay money into court.

Order.

Enter this

Dec 28 1951

B. D. W.

Book 4
page 23

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.

In re: Petition of Allean Watkins, Frank Watkins, Martha Black, Joseph Watkins and Emily Watkins, to be permitted to pay money into the hands of the court for distribution among the proper parties:

This day came Allean Watkins, Frank Watkins, Martha Black, Joseph Watkins and Emily Watkins, and presented their petition praying that they may pay into the hands of the court money due to certain of the heirs of James R. Tynes, deceased, as owelty of partition, as provided for in a decree entered on the Chancery side of this court, on the 6th. day of April, 1921, in a suit then depending, the docket number of which is three hundred and sixty six, and in which Rebecca Watkins and others were the complainants, and Richard Tynes and others were defendants; and it appearing to the court that the said petitioners do not know to whom, and in what amounts, the said money should be paid; that from such evidence as is now before the court the amounts due to no party will exceed three hundred dollars; that some of the parties entitled to receive the said money may be infants: It is ordered that one of the commissioners of this court inquire into and report to the court what is due to be paid by the said petitioner, to whom and in what amounts.

2

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

Watkins, et als

v)

Tynes, et als.

Order

1430
Nov. 3
Entered
Ch. Ct.

8-567

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Watkins et als

Vs) 366

Tynes et als

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 filed on the 5th day of April, 1921, to which report no exception is taken, and was argued by counsel;

On consideration whereof, it appearing from said report that that James R. Tynes died intestate and seized of 81 80/100 acres of land in Newport Magisterial District, Isle of Wight County, Virginia, that there are no liens upon the same, that all the proper parties are before the Court in this cause, that the said real estate can be conveniently partitioned among the parties in interest and and it further appearing that Rebecca Watkins, a daughter of said James R. Tynes should receive thirteen and eight-tenths acres, upon paying into the court the sum of three hundred dollars to equalize said partition, that Emma Roberts, a daughter, should receive thirteen and eight-tenths acres, that Sarah E. Bidgood, a daughter, should receive thirteen and eight-tenths acres, and Nancy Edmonds, a daughter, should receive thirteen and eight-tenths acres, and that the heirs-at-law of Maggie Pretlow a daughter, (who are Neolis Edwards, Cerese Edwards and Margaret Thomas), should receive thirteen and eight-tenths acres, or that each of them should receive respectively, four and six-tenths acres; and that the heirs at-law of Rosa Lee Tynes, a daughter, to-wit, Rosette Tynes who is twelve years old, Doris Tynes who is nine years old, and Walter Tynes who is six years old, who living with their father Richard H. Tynes, should receive thirteen and eight-tenths acres upon the payment of seventy five dollars to equalize said partition, the Court doth confirm the said report, and doth adjudge, order and decree that partition of said real estate be made and had in accordance with the above interest of said parties and that Rebecca Watkins, upon the payment to the other parties hereto of the sum of three hundred dollars shall have as and for her portion the tract as follows: All that certain tract of land in Newport

Magisterial District, Isle of Wight County, comtaining thirteen and eight-tenths acres and being a part of the said real estate and designated as "No.1" on a plat made by J. R. Kirk, Surveyor.

That Emma Roberts shall have as and for her portion the tract as follows: All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing thirteen and eight -tenths acres, and being a part of the said real estate and designated as "no.2" on said plat.

That Sarah E. Bidgood shall have as and for her portion the tract as follows: All that certain tract of land in Newport Magisterial District,Isle of Wight County, Virginia, containing thirteen and eight-tenths acres and being a part of the said real estate and designated as " No.3" on said plat.

That Nancy Edmonds have as and for her portion the tract as follows: All that certain tract of land in Newport Magisterial Distrcit, Isle of Wight County, Virginia, containing thirteen and eight-tenths acres, and being a part of the said real estate and designated as "No.4" on said plat.

That Neolis Edwards shall have as and for her portion the tract as follows: All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing four and six-tenths acres, and being a part of the said real estate and designated as "No 5" on said plat.

That Cerase Edwards shall have as and for her portion the tract as follows All that certain tract of land in Newport Magis terial District, Isle of Wight County, Virginia, and containing four and six-tenths acres, and being a part of the said real estate and designated as "No 6# on said plat.

That Margaret Thomas shall have as and for her portion the tract as follows: All that certain tract of land in Newport Magisterial Distrcit,Isle of Wight County, Virginia, containing four and six-tenths acres, and being a part of the said real estate and designated as " No.7" on said plat.

That the heirs of Rosa Lee Tynes, to wit: Rosetta, Doris and Walter Tynes, shall have as and for their portion, subject to the curtesy right of their father, Richard H. Tynes, the tract as follows: upon the payment of seventy-five dollars by Richard H. Tynes, to the other parties; All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia containing thirteen and eight-tenths acres, and being a part of the said real estate and designated as "No.8" on said plat.

And that the said partition and owelty of partition shall be held stable and binding between the said parties. And that said partition so made shall vest in said parties title to their said respective shares. And the Clerk of this Court is directed to record in the Current Deed Book of his office a copy of this decree indexing the same in the name of James R. Tynes as grantor and each of the respective parties as grantees, and he shall also record the said plat, made by J. R. Kirk, and index the same in the manner above indicated.

The Court doth further adjudge, order and decree that out of the three hundred and seventy five dollars so directed to be paid as herein provided there shall be paid, all costs, including a fee unto Parke P. Deans, Attorney, a fee of seventy five dollars and the balance, as follows, one sixth to Rebecca Watkins, one sixth to Emma Roberts, one sixth to Sarah E. Bidgood, one sixth to Nancy Edmonds, one eighteenth to Neolis Edwards, one eighteenth to Cerase Edwards, one eighteenth to Margaret Thomas and one sixth to Richard Henry Tynes to reimburse him in part for the amount of money paid by him on the tract conveyed to the heirs of Rosa Lee Tynes, the same to be used by him in the education and maintenace of his said children.

And it is ordered that this cause be removed from the docket.

A copy.
Teste, R. A. Edwards, Clk
By C. Kay Wills
D C

James R. Tynes Land

To {

Rebecca Watkins

Recorded May 2nd, 1921

W. B. 91, Page 485.

Plat Book 1, Page 16

a Copy

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

WATKINS ET ALS

V. No 366

Tynes et als

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 filed on the 5th day of April, 1921, ~~and~~ to which report no exception is taken, and was argued by counsel;

On consideration whereof, it appearing from said report that that James R. Tynes died intestate and seized of 81 80/100 acres of land in Newport Magisterial District, Isle of Wight County, Virginia, ~~and~~ that there are no liens upon the same, that all the proper parties are before the court in this cause; ~~and~~ the said real estate can be conveniently partitioned among the parties ~~of~~ in interest, ~~that the same has been divided into parcels by F. R. Kirk, Surveyor of Portmouth, Virginia and a plat of same is filed with the said report,~~ and it further appearing ~~from said partition~~ that Rebecca Watkins, a daughter of said James R. Tynes, should receive thirteen and eight-tenths acres upon paying into court the sum of three hundred dollars, ~~to equalize said partition~~ that Emma Roberts, a daughter, should receive thirteen and eight-tenths acres; that Sarah E. Bidgood, a daughter, should receive thirteen and eight-tenths acres; and Nancy Edmonds, a daughter, should receive thirteen and eight-tenths acres, and that the heirs-at-law of Maggie Pretlow, a daughter, who are Neolis Edwards, Cerese Edwards, and Margaret Thomas, should receive thirteen and eight-tenths acres, ~~or~~ that each should receive respectively, four and six-tenths acres; and that the heirs at law of Rosa Lee Tynes , a daughter, ~~who are her husband Richard Henry Tynes and three children~~, to-wit Rosetta Tynes who is twelve years old, Doris Tynes who is nine years old, and Walter Tynes who is six years old, ~~they~~ who living with their father, Richard H. Tynes, should receive thirteen and eight-tenths acres upon the payment of seventy five dollars, ~~to equalize said partition,~~ the Court doth confirm the said report, and doth adjudge, order and decree that said partition of said real estate be made and had in accordance with the aforesaid report and that ~~Parke P. Deans. who is hereby appointed as commissioner for the said purpose shall execute and deliver deeds with covenant of special warranty as follows.~~

~~unto~~ Rebecaa Watkins, upon the payment of the sum of three hundred dollars, the tract as follows:

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing thirteen and eight-tenths acres and being a part of the real estate ~~owned by the late James R. Tynes~~ and designated as "No. 1" on a plat made by J. R. Kirk, Surveyor, ~~Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia:~~

~~That~~ unto Emma Roberts, the tract as follows:

All that certain tract of land in Newport Magi-sterial District, Isle of Wight County, Virginia, containing thirteen and eight-tenths acres, and being a part of the real estate ~~owned by the late James R. Tynes~~ and designated as "No. 2" on ~~a~~ plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia:~~

~~That~~ unto Sarah E. Bidgood, the tract as follows:

All that certain tract of land in Newport Magisterial District. Isle of Wight County, Virginia, containing thirteen and eigth-tenths acres, and being a part of the ~~resatet~~ ~~owned by the late James R. Tynes~~ and designated as "No. 3" on ~~a~~ plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia:~~

~~That~~ unto Nancy Edmonds, the tract as follows:

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing thirteen and eight-tenths acres, and being a part of the real estate ~~owned by the late James R. Tynes~~ and designated as "No. 4" on ~~a~~ plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia.~~

~~That~~ Shall have as and for her portion ~~unto~~ Neolis Edwards, the tract as follows:

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing four and six-tenths acres, and being a part of the said real estate ~~owned by the late James R. Tynes~~ and designated as "No. 5" on said plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia:~~

~~That~~ Shall have as and for her portion, ~~unto~~ Cerase Edwards, the tract as follows:

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing four and six-tenths acres, and being a part of the said real estate ~~owned by the late James R. Tynes~~ and designated as "No. 6" on said plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia:~~

~~That~~ Shall have as and for her portion ~~unto~~ Margaret Thomas, the tract as follows:

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing four and six-tenths acres, and being a part of the said real estate ~~owned by the late James R. Tynes~~ and designated as "No. 7" on said plat ~~made by J. R. Kirk Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia.~~

~~That~~ to wit, Rosetta, Doris, and Hoactie Tynes, shall have as and for their portion, ~~and unto~~ the heirs of Rosa Lee Tynes, the tract as follows: upon payment of se-venty-five dollars by Richard H. Tynes to the said parties,

All that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing thirteen and eight-tenths acres, and being a part of the said real estate ~~owned by the late James R. Tynes~~ and designated as "No. 8" on said plat ~~made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and in the Clerk's Office of Isle of Wight County, Virginia.~~ And so that the said partition shall be held stable and binding between the said parties. And that ~~Court Book Plat Book~~ said partition so made shall be set in said parties title to their said respective shares. And the Clerk of this Court is directed to record in the current Deed Book, in his office a copy of this decree, indexing the same in the name of James R. Tynes as grantor and each of the respective parties as grantees, and he shall also record the said plat made by said J. R. Kirk, and index the same in the manner above indicated.

The Court doth further adjudge, order and decree that out of the three hundred and seventy five dollars ~~received by the said Commissioner, he has first pay~~ to Rucker & Rucker, as herein provided there shall be paid all ~~court~~ costs, including a fee unto Parke P. Deans, Attorney a fee of seventy-five dollars and ~~they pay~~ the balance, as follows: one sixth to Rebecca Watkins, one sixth to Emma Roberts, one-sixth to Sarah E. Bidgood, one-~~eighteenth~~ sixth to Nancy Edmonds, one-eighteenth to Neolis Edwards, one-eighteenth to Cerase Edwards, one-eighteenth to Margaret Thomas and one sixth to Richard Henry Tynes to reimburse him in part for the amount of money paid by him on the tract conveyed to the heirs of Rosa Lee Tynes, the same to be used by him in the education and maintenance of his said children.

~~Before the said commissioner shall perform any of the~~ duties hereunder, he shall execute a bond for five hundred dollars payable to the Commonwealth of Virginia conditioned upon the proper performance of his duties hereunder and any other decrees or orders of this Court with surety deemed proper by the Clerk of this Court.

And it is ordered that this cause be removed from the docket.

7

WATKINS ET ALS.

V 366

TYNES ET ALS.

DECREE

ENTER THIS

APRIL 6 1921

B. W. W.

Ch. Order Book 8

page 62

E + V.

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

Rebecca Watkins, Emma Roberts, Sarah E. Bidgood
Neolis Edwards, Cerase Edwards and Margaret Thomas

Complainants

versus.

Richard Tynes, Nancy Edmonds, Rosetta Tynes
Doris Tynes and Walter Tynes, the last three
are infants under the age of twenty-one years

Defendants

This day came Rebecca Watkins, Emma Roberts, Sarah E. Bidgood, Neolis Edwards, Cerase Edwards and Margaret Thomas, complainants, and by leave of court filed their bill of complaint and on their motion, the Court doth appoint William S. Holland a discreet and competent attorney at law, practicing in this court as guardian ad litem for the infant defendants, Rosetta Tynes, Doris Tynes and Walter Tynes, and on motion of the complainants leave is granted said guardian ad litem to file the answer of said infants and his own answer to said bill, and thereupon said answer is filed, and on like motion, leave is granted to Richard Tynes and Nancy Edmonds to file their answers to said bill, and the same are accordingly filed, to which answers the complainants replied generally, and upon like motion this cause is placed upon the docket, and thereupon this cause came on to be heard upon the bill of the complainants, and upon all of the several answers, and upon the general replication thereto, and was argued by counsel:

On consideration whereof the Court doth adjudge, order and decree that the papers in this cause be referred to one of the commissioners of this court, who is directed to inquire into and report to the court:

2 Whether the real estate in the bill mentioned can be convemiently divided among the several parties entitled to share therein;

3 If the same cannot be conveniently divided whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may

entitled them to.

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

What real estate the parties to this suit are entitled the location and description thereof, how their title was acquired, a and their respective interests therein, and the annual and fee simple values of said real estate;

Whether there are any liens against the real estate on account of delinquent taxes or otherwise;

Whether all the proper and necessary parties to this cause, are properly before the court and the ages and residence ofthe infant defendants;

Which several inquiries, the said commissioner shall make, and to the court report, together with any matter specially stated, deemed pertinent by himself or required by any party to be so stated, and return to the court with his report the evidence taken by him.

By consent of all parties by counsel here entered of record, it is ordered that this cause be made a vacation cause and that all such decrees may be entered in vacation as in term time.

5

Watkins et als

v. 366

Tynes et als

Decree

Enter this

March 30th 1921

V.D.W.

Chancery Order Book 8

Page 61.

We consent to this

Atty for Complainants
and Adult Defendants

William S. Holland
Guardian ad litem

Received of R. A. Edwards, Clerk of the Circuit Court of the County of Isle of Wight, State of Virginia, the full sum of Two hundred fifty dollars and fifty six cents ($250.56), representing the distributive shares of the heirs of Emma Roberts, ($53.69); of the heirs of Sarah E. Bidgood, ($ 53.69); of the heirs of Rebecca Watkins, ($ 53.69); the share of Nancy Edmonds, ($ 53.69); the share of Ceresa Edwards, ($ 17.90) and the share of Margaret Thomas, ($ 17.90) in the funds arising from the owelty of partition in the land assigned to Rebecca Watkins in the suit of Watkins, et als vs. Tynes, et als. depending in the Circuit Court of the County of Isle of Wight, State of Virginia.

Given under my hand this the 20th. day of May, 1933.

John Wesley Roberts

Assignee of the heirs of Emma Roberts, Sarah E. Bidgood & Rebecca Watkins & of the shares of Nancy Edmonds, Ceresa Edwards & Margaret Thomas.

For
Distribution
See note matter

7/22/35

PAUL E. WINFIELD, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. My name is Paul E. Winfield, I am fifty two years of age, I live in Smithfield, Virginia, and am an insurance agent.

Q. Some time ago a suit was brought in the Circuit Court of the County of Isle of Wight, Virginia, for the purpose of partitioning the land of which James R. Tynes, died siezed and possessed, and it appears from the papers in that suit that one Paul E. Winfield testified as to the value and proper division of that property- are you the same Paul E. Winfield? A. I am sir.

Q. Did you know James R. Tynes and his heirs? A. I did, for some time before his death, for quite a long time.

Q. If James R. Tynes left any children name them, please? A. He left children who were, at the time of his death. Emma Roberts, Rebecca Watkins, Sarah E. Bidgood and Nancy Edmonds.

Q. Did he leave other heirs? A. Yes sir, A daughter, Maggie Pretlow died before he did and left children, whose names were Neolis Edwards, Cerease Edwards and Margaret Thomas. Another daughter, Rosa Lee Tynes had died, and she left children whose names were Rosetta Tynes, Doris Tynes and Walter Tynes.

Q. Are the husbands of Maggie Pretlow or Rosa Lee Tynes living? A. The husband of Maggie Pretlow is dead, but the husband of Rosa Lee Tynes is living-his name is Richard Henry Tynes.

Q. Are the husbands of either Emma Roberts, Rebecca Watkins, Sarah E. Bidgood or Nancy Edmonds living? A. Only the husband of Emma Roberts-his name is William H. Roberts.

Q. Are Emma Roberts, Rebecca Watkins, Sarah E. Bidgood or Nancy Edmonds now living? A. Nancy Edmonds is the only one living.

Q. Did Emma Roberts l ave heirs? A. Yes sir-they are Minnie L. Edwards, Mary E. Watkins, James J. Roberts, Rosa Jones, John Wesley Roberts and Nurney Roberts, and another who is said to be an adopted child, whose name is Vinie Graves.

Q. Do you know the ages of the children left by Emma Roberts? A. I do not-all I know is that they have allbeen grown, over twenty one years of age, for a good many years.

Q. Did Rebecca Watkins leave any children? A. Yes sir- they are Allean Watkins, Frank Watkins, Martha Black, Emily Watkins and Joseph Watkins?

Q. Do you know their ages, and if they are all living? A. I do not know their exact ages, butthey are all living. I am pretty certain that the youngest is twenty four or twenty five years of age.

Q. Did Sarah E. Bidgood leave any children? A. Yes sir, she did. Their names are James Bidgood, Winston Bidgood, Lessie May Bidgood, Delma Bidgood and Geneva James. They are all living.

Q. Do you know their ages? A. I do not, but they are all of age.

Q. Are the children of Maggie Pretlow living? A. All of them except Neolis Edwards.

Q. Did Neolis Edwards leave any children, and when did she die? A. She left Some children whose names I do not know. I think all of them are under age. They live with their father near Smithfield. She has been dead several years.

Q. When Emma Roberts, Rebecca Watkins, Sarah E. Bidgood Rosa Lee Tynes, and Neolis Edwards died, where did they live? A. In Isle of Wight County.

And further this deponent saith not..

JOHN WESLEY ROBERTS, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. My name is John Wesley Roberts, I am thirty seven years of age, I live in Isle of Wight County, Virginia, and am a farmer.

Q. What relation, if any, are you to or were you to James R.Tynes? A. I am his grandson. I am the child of his daughter Emma Roberts.

Q. Do you know who were the heirs of James R. Tynes? A. Yes sir, they were his living daughters, Emma Roberts, Rebecca Watkins, Nancy Edmonds, Sarah E. Bidgood, and the children of his dead daughters, Rosa Lee Tynes and Maggie Pretlow. The children of Rosa Lee Tynes are all living now, and they are Rosetta Tynes, Doris Tynes and Walter Tynes.The children of Maggie Pretlow, who were living at the death of James R. Tynes, were Neolis Edwards, Cerease Edwards and Margaret Thomas.

Q. Are the children of Jamed R. Tynes who were living at his death all living now? A. No sir. Only Nancy Edmonds is living now. Emma Roberts, Rebecca Watkins and Sarah E. Bidgood have died.

Q. Did they leave any children? A. Yes sir: Emma Roberts left six, their names being James J. Roberts, Nurney Roberts, John W. Roberts (me), Minnie L. Edwards, Mary E. Watkins and Rosa Jones. She left another daughter, by adoption, whose name is Vinie Graves. Sarah E. Bidgood left five children, whose names are James E. Bidgood, Geneva James, Winston Bidgood, Lessie May Bidgood and Delma Bidgood. Rebecca Watkins has died and she left the following named children: Allean Watkins, Emily Watkins, Frank Watkins, Martha Black and Joseph Watkins.

Q. Are the living grand children of James R. Tynes, who were living at his death, now living? A. All except Neolis Edwards. She is dead.

Q. Did Neolis Edwards leave heirs? A. Yes sir, she left a husband, Ernest Edwards, and five children.

Q. Do you know the names and ages of those children? A. Yes sir, I know their names, which are Goldie Edwards, Dora Lee Edwards, Ernest Tazewell Edwards, Willie Morris Edwards and Charlie Edwards. I do not know their ages, exactly. The oldest is about fifteen years, and they range about two years apart.

Q. Where and with whom do the children of Neolis Edwards live? A. With their fathern near Smithfield.

Q. Do you know the ages of the children of Rebecca Watkins, Emma Roberts, and Sarah E. Bidgood? A. I do not. I know that all of them have been of age for some time. I think the youngest of them is about twenty five years. It ias a much as twenty four.

Q. Do you know whether or not any of the heirs of James R. Tynes have disposed of any of their interests in any part of his estate, or have any of the children of any of his deceased children done so? A. Yes sir, they have.

Q. Did Emma Roberts, Rebecca Watkins, Sarah E. Bidgood or Neolis Edwards leave wills? A. Not that I have ever heard of.

Q. Where did they reside when they died? A. In Isle of Wight County, Virginia.

Q. When did the last of them die? I do not know the dates. The last one died about three or more years ago.

Q. You state that some of the parties interested in the fund the distribution for which the petition in this proceeding has been filed, have disposed of their interest whihh is the subject of the petition-who are they and to whom have they disposed of their interest? A. Well, The children of Emma Roberts, and their father, and the ch children of Sarah E. Bidgood, Cerease Edwards, Margaret Thomas, and Nancy Edmonds have sold their interests to me.

Q. What evidence have you of such a sale-have you paid for their interests? A. Yes sir, I have paid for them, and have taken receipts all of which I hand you. That from my brothers and sisters is dated March 22nd. 1930; that taken from Sarah E.

Bidgoos children is dated May 1st. 1930; that taken from Cerease Edwards is dated May 7th. 1930; that taken from Margaret Thomas is dated May 10th. 1930; that taken from Nancy Edmonds was dated May 21st. 1930

Q. When these parties transferred their interests to you were they of competent age?
A. They were over twenty one years old.

And further this deponent saith not.

The receipts referred to in the above testimony of John Wesley Roberts are filed herewith.

KNOW ALL MEN BY THESE PRESENTS: that we, James Bidgood, Geneva James, Winston Bidgood, Lessie May Bidgood and Delma Bidgood, the sole heirs at law of Sarah E. Bidgood, deceased, who died, a resident of Isle of Wight County and State of Virginia, intestate, do hereby acknowledge having received of and from John Wesley Roberts full satisfaction for our respective shares in the fund directed to be paid by Rebecca Watkins, by a decree entered by the Circuit Court of the County of Isle of Wight, in the State of Virginia, on the 6th. day of April, 1921, in a certain suit then depending, on thechancery side of said court, as owelty of partition in the division of the land of which James R. Tynes died siezed and possessed.

Given under our hands this 1st. day of May, 1930.

Lewis A. Smith — James Bidgood
Elizabeth Heintzeman — Geneva James
R J Barnes — Winston Bidgood
Margaret A. Smith — Lessie Mae Bidgood
Delma Bidgood

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, in the State of Virginia, do hereby certify that James Bidgood, whose name is signed to the above writing, bearing date the 1st. day of May, 1930, has acknowledged the same before me in my said county.

Given under my hand this 19 day of May, 1930.

A S Johnson
Commissioner in Chancery.

State of Pennsylvania,

City of Philadelphia, to-wit:

I, Margaret A Smith a Notary Public for the

city of Philadelphia, in the State of Pennsylvania, do hereby certify that Geneva James and Delma Bidgood, whose names are signed to the writing hereto annexed, bearing date the 1st. day of May, 1930, have acknowledged the same before me in my said city.

Given under my hand and official seal this the 9th day of May, 1930.

Margaret A. Smith
Notary Public.

NOTARY PUBLIC
My Commission expires at the end of next Session of Senate

My commission expires

_____

State of Maryland,

City of Baltimore, to-wit:

I, Elizabeth Hentzeman, a Notary Public for the city of Baltimore, in the State of Maryland, do, hereby, certify that Winston Bidgood, whose name is signed to the writing hereto annexed, bearing date the 1st. day of May, 1930, has acknowledged the same before me in my said city.

Given under my hand and official seal this the 13th day of May, 1930.

Elizabeth Hentzeman
Notary Public.

My commission expires
May 1931

State of Virginia,

City of Norfolk, to-wit:

I, B J Barnes, a Notary Public for the city of Norfolk, in the State of Virginia, do hereby certify that Bessie May Bidgood, whose name is signed to the writing hereto annexed, bearing date the 1st. day of May, 1930, has acknowledged the same before me in my said city.

Given under my hand this 16th day of May, 1930.

B J Barnes
Notary Public.

My commission expires
March 15th 1932

KNOW ALL MEN BY THESE PRESENTS, that I, Cerese Edwards, a daughter of Neolis Edwards, a grand daughter of Jas. R. Tynes, deceased, do hereby acknowledge having received from John Wesley Roberts all and every part and parcel of my share in the fund directed to be paid, on account of owelty of partition, by Rebecca Watkins, in division of the land of said James R. Tynes, deceased, by decree entered by the Circuit Court of the County of Isle of Wight, in the State of Virginia, in the suit in chancery then depending in said court, in which Rebecca Watkins and others were the complainants, and Richard Tynes and others were defendants, on the 5th. day of April, 1921.

Given under my hand this 7th. day of May, 1930.

Cerese Edwards

Witness

KNOW ALL MEN BY THESE PRESENTS: That I, Margaret Thomas, a daughter of Neolis Edwards, a grand-daughter of James R. Tynes, deceased, do hereby acknowledge having received from John Wesley Roberts all and every part and parcel of my share in the fund directed to be paid, on account of owelty of partition, by Rebecca Watkins, in the division of the land of said James R. Tynes, deceased, by decree entered by the Circuit Court of the County of Isle of Wight, in the State of Virginia, in the suit in chancery then depending in said court, in which Rebecca Watkins and others were complainants, and Richard Tynes and others were defendants, on the 5th. day of April, 1921.

Given under my hand this 10th. day of May, 1930.

margaret thomas

Witness, [illegible]

KNOW ALL MEN BY THESE PRESENTS, that I, Nancy Edmonds, a daughter of James R. Tynes, deceased, do hereby acknowledge having received of and from John W. Roberts all and every part and parcel of my share in the fund directed to be paid, on account of owelty of partition, by Rebecca Watkins, in the division of the land of said James R. Tynes, deceased, by decree entered by the Circuit Court of the County of Isle of Wight, in the State of Virginia, in the suit in chancery then depending in said court, in which Rebecca Watkins and others were the complainants, and Richard Tynes and others were defendants, on the 5th. day of April, 1921.

Given under my hand this 21st. day of May, 1930.

Nancy Edmonds

William A. Tynes

We, William H. Roberts, Minnie L. Edwards, Mary E. Watkins,
James J. Roberts, Rosa Jones, Murney Roberts.

do, hereby, assign and transfer unto John Wesley Roberts all of our right, title and interest in and to certain moneys directed to be paid to Emma Roberts, by a decree of the Circuit Court of the County of Isle of Wight, in the State of Virginia, on the 6th. day of April, 1921, in the suit in Chancery then pending in said Court, for a partition of the lands of which James R. Tynes, died siezed and possessed; and, also, any right, title or interest, in said land we may now have, be the same legal or equitable.

Given under our hands and seals, this 22nd. day of March, 1930.

Test A. Johnson

William H. his mark Roberts (SEAL)
Minnie L Edwards (SEAL)
Mary E Watkins (SEAL)
James J Roberts (SEAL)
Rosa Jones (SEAL)
Vinie Jones (SEAL)
Murney Roberts (SEAL)
(SEAL)
(SEAL)
(SEAL)
(SEAL)
(SEAL)
(SEAL)

A. S. JOHNSON A. E. S. STEPHENS

JOHNSON & STEPHENS

ATTORNEYS AND COUNSELORS AT LAW

SMITHFIELD, VA.

May 20th., 1933

Mr. R. A. Edwards, Clerk,
Isle of Wight,
Va.

Dear Gus:- Re: Watkins, et als
Vs: Tynes, et als.

I enclose, herein, the following:

1. Our check for $225.29, representing the following items, to-wit:

Cost of suti, less Atty fee of $25.00 to Johnson & Stephens.....	$ 146.05
Share of Edwards children.....	17.90
Share of Tynes children.....	53.69
Pro-rata share of costs of distribution..due.by.John.Wesley.Roberts.....	7.65
Total.....	$ 225.29

Rec'd this amt.

2. Receipt of John Wesley Roberts acknowledging receipt of the sum of $ 250.56, representing the share due him as Assignee of various heirs.

3. Receipt of Johnson & Stephens for Attorney fee of $25.00 allowed by the Court.

4. Deed from Allean Watkins, et als. to John Wesley Roberts conveying certain real estate.

5. Deed of Trust from John Wesley Roberts to R. A. Edwards, Trustee.

6. Check for $5.69 to cover the costs of recording said deeds.

7. The detailed statement of the Owelty of Partition paid by John Wesley Roberts.

Very truly yours,

A. E. S. Stephens

AESS:R
Encls:7

Received of R. A. Edwards, Clerk of the Circuit Court of the County of Isle of Wight, State of Virginia, the full sum of Twenty five ($ 25.00) Dollars, representing the Attorney fee allowed by the Cout to Johnson & Stephens in the matter of the petition filed in the Chancery suit depending in this Court under the style of Watkins, et als. vs. Tynes, et als.

Given under our hands this the 20th. day of May, 1933.

JOHNSON & STEPHENS

BY: R. E. Stephens.

STATEMENT OF OWELTY OF PARTITION PAID BY JOHN WESLEY ROBERTS
IN SUIT OF WATKINS, ET ALS VS. TYNES,ET ALS.

Principal of Owelty of Partition.....		$ 300.00
Accrued interest.....		193.20
Total amount owing.....		$ 493.20

Costs of Court:

Clerk and Commissioner.....	$ 71.05	
Deans, Counsel fee.....	75.00	
Johnson & Stephens, counsel fee...	25.00	171.05
Bal. after deduction of costs.....		$ 322.15

Distribution:

Watkins heirs.....	$ 53.69	
Roberts "	53.69	
Edmonds "	53.69	
Bidgood "	53.69	
Ceresa Edwards.....	17.90 ✓	
Margaret Thomas.....	17.90	
Edwards Children.....	17.90	
Tynes children.....	53.69 ✓	322.15
		.00

To be paid Clerk of Court in cash:

Costs of suit.....	$ 171.05
Share of Edwards children, 60¢.....	17.90 ✓
" " Tynes children, $1.75.....	53.69 ✓ 71.59
Pro-rata share costs of distribution	7.65
Total to pay Clerk.....	$ 250.29
Less fee Johnson & Stephens,.....	25.00
Net cash to be paid Clerk.....	$ 225.29

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

In re-the petition of Allean Watkins et als., to pay money into the hands of the court, which was awarded, as owelty of partition, in the partitition of the lands of James R. Tynes, for distribution.

Report of Commissioner in Chancery, responsive to an order entered herein on the 3rd. day of November, 1931.

TO HONORABLE BENJAMIN DAY WHITE,

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

The undersigned, one of the commissioners in chancery of the Circuit Court of the County of Isle of Wight, in the State of Virginia, to whom has been referred the papers in this proceeding for the execution of a decree entered therein on the 3rd. day of November, 1931, respectfully reports as follows:

1. That in the chancery suit, then pending in this court, docket number 366, under the general style of Watkins et als. v. Tynes et als, a decretal order was entered on the 6th. day of April, 1921, allotting and assigning to Rebecca Watkins tract No. 1, described in said suit, but requiring her to pay, into a general fund, the sum of three hundred dollars as owelty of partition.

2. That it was, by the same decree, directed that Rosetta Tynes, Walter Tynes and Doris Tynes, children of a deceased daughter of the said James R. Tynes, namely, Rosa Lee Tynes, should be allotted and assigned tract number 8, described in said suit, and that they should pay into the same fund the sum of seventy five dollars, as owelty of partition.

3. That neither of said sums have been paid.

4. That it was further ordered and decreed that out of the said sums the costs of that suit should be paid, and a counsel fee of seventy five dollars to Parke P. Deans, for conducting the said suit. The suit was dismissed in the same

order.

5. It appears from the testimony filed with the report of the commissioner, in that suit, that the said amounts so ordered to be paid as owelty of partition should be paid into a common or general fund (see testimony of H. T. Hays and P. E. Winfield) and that after the payment of the costs and counsel fee the balance should be divided between the living children of the said James R. Tynes, namely, Emma Roberts, Rebecca Watkins, Sarah E. Bidgood and Nancy Edmonds, and the distributees of two deceased children, namely, Maggie Pretlow, they being Neolis Edwards, Cerease Edwards, and Margeret Thomas; and, the distributees of Rosa Lee Tynes, namely, Richard H. Tynes, her husband, and Rosetta Tynes, Doris Tynes and Walter Tynes, her children.

6. From the testimony of John Wesley Roberts and Paul E. Winfield (the latter having testified in the partition suit herein referred to) it appears that:

a- Emma Roberts has departed this life, leaving as her distributees her husband, William H. Roberts, and the following named children: Minnie L. Edwards, Mary E. Watkins, James J. Roberts, Rosa Jones, John Wesley Roberts and Nurney Roberts, and an adopted child, Vinie Graves.

b- Rebecca Watkins has departed this life, leaving as her distributees five children, namely, Allean Watkins, Frank Watkins, Martha Black, Emily Watkins, and Joseph Watkins.

c- Sarah E. Bidgood has departed this life, leaving as her distributees the following named children: James Bidgood, Winston Bidgood, Lessie May Bidgood, Delma Bidgood and Geneva James.

d- Neolis Edwards has departed this life, leaving as her distributees her husband, Ernest Edwards and the following named children: Goldie Edwards, Ernest Edwards, Dora Lee Edwards, Willie Morris Edwards and Charlie Edwards.

7. That all of the parties here named, to-wit: Emma Roberts, Rebecca Watkins, Sarah E. Bidgood and Neolis Edwards were, at the time of their death, residents of Isle of Wight County, Virginia, and died intestate; and that the husbands of Rebecca Watkins and Sarah E. Bidgood are dead.

8. From papers presented to your commissioner, which are filed with this report, it appears that the distributees of Emma Roberts, and Sarah E. Bidgood have assigned their interests in said fund to John Wesley Roberts; and, that Nancy Edmonds,

Cerease Edwards abd Margaret Thomas have, also, assigned their interests in said fund to the said John Wesley Roberts, all of the assignees being of age when the assignments were made.

9. It appears to your commissioner that Johnson & Stephens, who are counsel conducting this proceeding, should be paid a reasonable fee, from the gross sums to be paid into court, for their services as such.

10. Your commissioner recommends that the petitioner pay into the court the sum of three hundred dollars, with interest thereon from the 6th. day of April, 1921, the date upon which the order was entered alloting and assigning the lands mwntioned in the said suit, and directing the payment of owelty, as aforesaid; and that the heirs of Rosetta Tynes be required to pay into the court the sum of seventy five dollars, with interest thereon from the said 6th. day of April, 1921; and, that out of the gross of said sums there be paid the costs of the said suit and this proceeding; the counsel fee, aforesaid, to Parke P. Deans, and $_____ to Johnson and Stephens, counsel conducting this proceeding; and that after the payment of the said sums, for which receipts must be taken and filed the balance shall be divided into six equal parts, to be paid out as follows:

One sixth to John Wesley Roberts, as assignee of the distributees of Emma Roberts, deceased.

One sixth to JohnWesley Roberts as assigneed of the distributees of Sarah E. Bidgood, deceased.

One sixth to John Wesley Roberts, as assignee of Nancy Edmonds.

Two thirds of one sixth to John Wesley Roberts, as assignee of Cerease Edwards and Margaret Thomas.

One third of one sixth to the distributees of Neolis Edwards, deceased.

One sixth to the distributees of Rebecca Watkins, deceased.

One sixth to the distributees of Rosa Lee Tynes, deceased.

Your commissioner further reports that he is personally acquainted with the father of the children of Neolis Edwards, and the father of the children of Rosa Lee Tynes, all of whom appear to be infants, and that both of the fathers are proper parties to whom may be paid the shares accruing to their respective infant children.

Respectfully submitted,

Commissioner's fee $ 150

Commissioner.

R. A. Edwards.

Nattanis et als.

vs G. #366

Zgnis et als.

Report of Comm.

Filed 12/10/31.

Ltr R. A. Eamiss
cdv

A.S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C.H., VA.

Virginia; Circuit Court Of The County Of Isle Of Wight E.

TO. Rebecca Watkins,Emma Roberts,Sarah Bidgood, Naolis Edwards Cerease Edwards,and Margaret Thomas.....COMPLAINANTS.

Vs.

Wm. S. Holland,Guardian Ad Litem for Rosetta Tynes,Doris Tynes,and Walter Tynes,infants defendant,and Richard Tynes and Nancy Edmonds, ...DEFENDANTS.

Take notice that I shall on the 5th day of April 1921,at my office at Isle Of Wight, Virginia,at 10:Oclock A. M. proceed to execute a decree entered in the cause in Chancery now pending in the Circuit Court of said County in which you are the complainants and defendants,respectively on the 30th day of March 1921,which requires one of the Commissioners of said Court to enquire into and report to Court;

Whether the real estate in the bill mentioned can be conveniently divided among the several parties entitled to share therein;

If the same cannot be conveniently divided whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them too.

And if the same cannot be conveniently divided and if no party will take the entire property and pay the others for their shares,whether the interest of those who are entitled to the said property or its proceeds will be promoted by a sale of the whole property,or allotment of part and a sale of the residue.

What real estate the parties to this suit are entitled,the location and description thereof,how their title was acquired and their respective interest therein,and the annual and fee simple values of the said real estate.

Whether there are any liens against the real estate on account of delinquent taxes or otherwise;

Whether all the proper and necessary parties to this cause,are properly before the Court and the ages and residences of the infant defendants.

Which several enquiries, the said Commissioner shall make,and to the Court report,togather with any matter specially stated,deemed per-

tinent by himself or required by any party to be so stated, and return to the Court with his report the evidence taken by him.

R. A. Edwards
Commissioner.

3/26/21

I hereby accept service of this notice

Atty for Adult Defendants

William S. Holland
Guardian ad litem

Richard Henry Tynes being duly sworn deposesth as follows.

Please state your name, age, occupation and residence.

My name is Richard Tynes, I am 39 years old, am a farmer and live in Isle Of Wight County, on Smithfield R. F. D. #1.

Did you know Jas. R. Tynes, if so state where he lived, when he died, did he leave a will, if not who are the heirs at law and did he own any real estate.

Yes, he was my father-in-law, he lived on his farm in Isle Of Wight County and died August 1918, I think it was the 19th day of the month, he did not leave any will but John Bidgood qualified as Administrator and has settled with all of the heirs. He was only married once and his wife died many years before he did and his only heirs are; viz- a daughter, Rebecca who married Watkins, a daughter Emma who married Rober a daughter Sarah E. who married John Bidgood, a daughter Nancy who married Edmonds, a daughter Maggie, who married Pretlow and both of them are dead leaving three children viz; Neolis who married an Edwards, Cerase who married an Edwards, and Margaret who married a Thomas, and one other daughter named Rosa Lee who married me, she died in November after her farther and she left no will, my three children, Rosetta Tynes, Doris Tynes, and Walter Tynes with my self are the heirs. James Tynes had real estate in Isle of Wight County.

How many of the parties of interest are under twenty one years old, give their names, ages and residence.

Only my three children are under twenty one, they live with me in this County, Rosetta is 12 years old, doris is 9 years old, and Walter is 6 year old.

Are you acquainted with the Jas. R. Tynes real estate, if so state if you believe that this land can be divided among the heirs and if so in what manner.

I am well acquainted with land, last February all of the adult heirs got Mr J. R. Kirk of Portsmouth to come out there and to survey the property and to divide it as nearly equal as he could, When he came all the heirs were present, alsoH. T. Hays. Mr Kirk found it to be 81 & 80/100 Acres, he divided this land into eight tracts as will appear from a map

herewith filed marked exhibit X,he set apart 13 &8/10 acres to Rebecca Watkins,Emma Roberts,Sarah E. Bidgood and Nancy Edmond and numbering them from Number one to four respectively,he set apart 13 &8/10 acres and designated it as "No 8" Richard Tynes," he meaning by this divis ion to be for the heirs of Rosa Lee Tynes,and then he set apart four and 6/10 acres in three tracts,numbering them 5,6 and 7,and alloting them to Neolis Edwards,Cerease Edwards and Margaret Thomas respectively.

After Mr Kirk made this division were all of the adult heirs satisfied.

Yes,but there is a house on the piece allotted as my wife's share and some other houses on the piece allotted to Rebecca Watkins.We agreed that we would get two disinterested parties to value these buildings and these heirs to pay that amount to the others.

Who did they get to do this.

Paul E. Wingfield and H. T. Hays.

What desision did they make.

They required $75.00 to be paid by the heirs of my wife,and three hundred dollars to be paid by Rebecca Watkins.

Do you think that this is a proper division of the real estate and that the interest of all the parties are promoted by the same.

Yes-sir.

Please give the location and description of the real estate herein referred too.

It is located in Newport District,Isle Of Wight County on the road leading from Smithfield to Everette Bridge and is near Uzzles Church and adjoining the lands of W. B. Gayle,Eddie Scott.

And further this deponent saith not.

Richard H. Tynes Jr.

H. T. Hays being duly sworn deposes as follows.

Please state your name,age residence and occupation.

Howell T. Hays,age 53, I live in Smithfield and am a merchant.

Did you know Jas. R. Tynes and are you acquainted with his heirs at law.

I knew Jim Tynes for 40 years and have known all of his heirs all of my life.

You were present and heard Richard Tynes name the heirs at law of Jas. R. Tynes were you not,.

Yes.

Did he name them correctly.

Yes he named them correctly.

Are you familiar with the real estate owned by Jas. R. Tynes and can it be conveniently divided among the parties entitled thereto.

I have known the land for many years,and I was present when Mr Kirk surveyed the property and ran the lines,the division and allotment that he made is to my mind a fair one and every body concerned seemed perfectly satisfied with the same.

Have you seen the map that was made by Mr Kirk and have you been upon th property in question since the making of the map.

I have seen the map and have been upon the property since it was made,an the map in question was today placed in evidence by Richard Tynes.

Were you asked by the parties to make a valuation of the buildings on th land and if so who acted with you and what valuation did you place.

Yes I was asked by the parties to act as such and togather with Paul E. Wingfield we went upon the property and viewed the buildings and decided that the house on the Rosa Lee Tynes tract was worth $75.00,and that the buildings on the Rebecca Watkins tract were worth $300.00.

Do you know whether or not that Rebecca Watkins and Rosa Lee Tynes heirs are satisfied with this appraisment and are ready to make settlement wit the rest of the heirs or not for these buildings.

Yes,Rebecca Watkins is satisfied and ready to settle,and Richard Tynes the husband of Rosa Lee Tynes will settle for his children.

And further this deponent saith not. H T Hays

Paul E, Wingfield being duly sworn deposes as follows.

Please state your name,age residence and occupation.

My name is Paul E. Wingfield,I am 42 years old,I live Sale Of Wight County and I am in the life insurance business.

Did you know Jas. R. Tynes and if so are you well acquainted with all of his heirs at law.

Yes,I knew Jas. R. Tynes for many years before he died,and I am acquainted with all of his heirs and they are as Richard Tynes gave them a few moments ago.

Are you familiar with the location of the real estate of Jas. R. Tynes, and have you been upon the property to consider whether it has been divided properly or not.

Yes,the land is about 4 miles from Smithfield and I have known it for several years.I was asked by some of the heirs to come out to the place and make a valuation on the houses,taking in consideration the division of the land.

Have you seen the map made by Mr Kirk and if so have you considered it so as to state whether or not it will be fair to all parties concerned.

I have seen the map and the division is proper if Rebecca Watking and the heirs of Rosa Lee Tynes pay ~~xxxxxxxxxxxxxxxxxx~~ a certain amount to be divided among all the heirs.

What valuation did you and H. T. Hays put upon these buildings.

We decided that $300.00 should be paid by Rebecca Watkins into a general fund and that the heirs of Rosa Lee Tynes pay the sum of $75.00 into the same fund,and it was understood by Hays,myself and all of the heirs that the Court cost and expenses was to be paid out of this fund and the balance was to be divided among all of the heirs of Jas. R. Tyne according to their respective interests.

On the above basis are the interest of all the parties promoted by this division.

Yes,to the best of my knowledge.

And further this deponent saith not.

Paul E. Wingfield.

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

WATKINS ET ALS;

VS. Cy. No. 366.

TYNES ET ALS.

TO HONORABLE B. D. WHITE,

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

The undersigned,a Commissioner in Chancery of the Circuit Court of the County of Isle Of Wight,to whom has been referred the papers in the above entitled cause,for the execution of a decree entered therein on the 30th day of March 1921,respectively reports that on the 5th day of April 1921,he proceeded with the execution of said decree,and in aid thereof too,and reduced to writing,the evidence of Richard H. Tynes,Howard T. Hays and Paul E. Wingfield,competent witnesses,which is returned herewith as a part of this report, and from such evidence and from the evidence found in the records filed in the Clerks office of this Court,your Commissioner is informed and reports as follows;

1st."Of what real estate the parties to this suit are entitled, the location and description thereof,how their title was acquired,and their respective interest therein,and the annual and fee simple values of said real estate;?.Answer.

As will appear from the records in the Clerks office of the Circuit Court of this County,and particularly from the land book for the year of 1920,James R. Tynes,Colored,who departed this life on or about the 19th day of August 1918 intestate was the owner in fee simple of two tracts of land adjoining each other considered to be about seventy five acres while as a matter of fact and by actual survey as will be shown later in this report said two tracts adjoining each other contains 81 & 80/100 acres,the land referred too is located in Isle Of Wight County near Uzzles Church in Newport Magisterial District,and lies on the south side of the County road which leads

from Smithfield to Everetts Bridge,and adjoins the land of W. B. Gayle and Eddie Scott,and is about four miles from the town of Smithfield.

James H. Tynes who died as heretofore stated and who's wife died many years prior to his death,he never having remarried,had the following children who's names are as follows-,

Rebecca Tynes, a daughter who married a Watkins and who is a one sixth owner in said land-,

Emma Tynes, a daughter who married a Roberts and who is a one sixth owner in said land-,

Sarah E. Tynes, a daughter who married a Bedgood and who is a one sixth owner in said land-,

Nancy Tynes, a daughter who married a Edwards and who is one sixth owner in said land-,

Maggie Tynes, a daughter who married a Pretlow,being dead as well as her husband and they having left three children who have all married namely,Neolis Edwards,Cerease Edwards and Margaret Thomas all of whom are over the age of twenty one years,and,are the owners of a one eighteenth interest in said land-,

Rosa Lee Tynes, a daughter who married a Tynes and who departed this life in November following the death of James R. Tynes her farther,left as her only heirs save and except her husband Richard Henry Tynes,three children,who are infants and who's names and ages are as follows-,

Rosetta Tynes,age 12 years,Doris Tynes,age 9 years and Walter Tynes age 6 years and who appear to be also the owner of a one eighteenth interest in said land,each.

The annual value of the real estate herein mentioned appears to be from one hundred and twenty five to one hundred and fifty dollars while the fee simple value appears to be about three thousand dollars.

2nd."Whether or not the real estate in the bill and proceedings mentioned can be conveniently divided among the several parties entitled to share therein,"

Your Commissioner rerorts that owing to the unusual shape and aver-

age quality of the land that it can very conveniently be divided so that all parties will, in the opinion of your Commissioner as well as the witnesses testifying before him, receive their just and full share of the same, and as a further evidence of the same a map or plat which has been made by J. R. Kirk, cival engineer is herewith attached and made a part of this report.

Your commissioner further reports that there is located on this land certain out houses and dwellings, a portion on of said houses being located on that part of the land allotted by said map to Rebecca Watkins and the rest on that part which will fall to the minor children of Rosa Lee Tynes, however your commissioner is informed and reports that all of the heirs of the said James R. Tynes have come togather and agreed, togather with the father of the minor children herein mentioned as to what sum shall be paid ~~[illegible] houses stands~~ as will be shown by the evidence of one Richard H. Tynes, hereto attached.

3rd. "If the same cannot be conveniently divided whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them too."?.

Your Commissioner begs leave to report that it does not appear that any of the parties will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them too.

4th. "Whether if the same cannot be conveniently divided and no party will take the entire property and pay the others for their shares, whether the interest of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue ?.". Ans.

It does not appear to your Commissioner that any ones interest will be especially promoted by a sale of any portion of the land herein mentioned, in as much as there isn't any special demand for real estate in this section at this particular time, and last but not 1 east by any means the parties to whom this land lawfully belongs are as a whole, a progressive kind of people who wish to hold on to what land they have as far as possible

attached,

and which is as follows: unto Rebecca Watkins that certain tract in Newport Magisterial District, Isle of Wight County, Virginia, containing 13 8/10 acres and being a part of the real estate owned by the late James R. Tynes and designated as "No. 1" on a plat made by J. R. Kirk, Surveyor, Portsmouth Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia, upon the payment of three hundred dollars; and unto Emma Roberts that certain tract in Newport Magisterial District, Isle of Wight County, Virginia, containing 13 8/10 acres and being a part of the real eatet owned by the late James R. Tynes and designated as"No. 2" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto Sarah E . Bidgood that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing 13 8/10 acces and being a part of the real estate owned by the late James R. Tynes and designated as"No. 3" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va ., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto Nancy Edmonds that certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing 13 8/10 acres and being a part of the real estate owned by the late James R. Tynes and designated as "No. 4" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto Neolis Edwards s that certain tract of land in Newport Magisterial District, Isle ofWight County, Virginia, containing 4 6/10 acres and being a part of the real estate owned by the late James R. Tynes and designated as " No. 5" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto Cerase Edwards a certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia containing ~~4 6/10xxxxxxx~~ 4 6/10 acres and being a part of the real estate owned by the late James R. Tynes and designated as "No. 6" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto Margaret Thomas a certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing 4 6/10 acres and being a part of the xxxxxx real estate owned by the late James R. Tynes and designated as"No. 7" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia; and unto the heirs of Rosa Lee Tynes a certain tract of land in Newport Magisterial District, Isle of Wight County, Virginia, containing 13 8/10 acres and being a part of the xxx real estate owned by the late James R. Tynes and designated as "No. 8" on a plat made by J. R. Kirk, Surveyor, Portsmouth, Va., dated Feb. 1921 and to be recorded in the Clerk's Office of Isle of Wight County, Virginia upon the payment of seventy-five dollars.

and especially is that true in this particular case owing to the close relation ship which exists among all the parties entitled to share hereunder.

5th.Whether there are any liens against the real estate herein mentioned on account of delinquent taxes or otherwise ?. Ans.
Your Commissioner reports that from the records in the Clerks Office of this Court there does not appear to be any liens against the said land of any kind what so ever.

6th.Whether all the proper and necessary parties are before the Court in this cause,and the ages and residences of the infant defendants.?.
Your Commissioner reports that all the proper and necessary parties are properly before the Court and that the names and ages of the infant defendants having been given in this report in answer to question number,two ~~he~~ your Com. begs leave to report that said infant defendants now reside with their father Richard Henry Tynes in Isle Of Wight County as will be further shown by the evidence of the said Richard Henry Tynes hereto attached.

If within your Commissioners right to state,he further begs leave to so state that he has within the past thirty days been upon the property mentioned in the bill and proceedings,and while so upon said property he viewed the buildings as well as the land and wishes to state that so far as he could ascertain a fair and proper division of the whole had been agreed upon and outlined by the heirs of the said James R. Tynes in such a way that it appears that the infant defendants herein were well taken care of.

The testimony filed herewith,was taken in the presence of Parke P. Deans Attorney for the plaintiffs and adult defendants,as well as Wm. S. Holland Guardian Ad Litem for the infant defendants,and present at the time was also the farther of the infant defendants,who being a negro above the average inteligence is well able to take care of the interest of his children and would protest against any seeming injustice or inequality,even though they have the protection of the Court.

Respectively submitted.

R. A. Edwards. COM.

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WATKINS et als.

{ Chancery No. 366

TYNES et als.

COMMISSIONERS REPORT.

FILED APRIL 5th, 1921.

Ista. R. A. Edmonds clk

Plat detached Lie from
& placed in plat book
#1. pge 16
Ista. R. A. Edmonds Clk

In the Cirxuit Court of Isle of Wight County, Virginia:

Watkins et als.

v.

Tynes et als/

The answer of Richard Tynes to a bill of complaint filed against him and others in the Circuit Court of Isle of Wight County by Rebecca Watkins and others complainants.

This defendant reserving to himself the benefit of al just excetions to the said bill of complaint, for answer thereto or to as much thereof as he is advised that it is necessary should be answered, answers and says:

That the statements in the said bill are true and that he believes that the real estate can be partitioned in kind. That he is the husband of Rosa Lee Tynes, who died intestate after he father, to-wit: November__ _1918 leaving as her heirs at law, this defendant, who is her husband and three childfen and also named in the bill.

And now hainv answered the bill of complaint, this defendant prays to be hence dismissed with his proper costs by him in this behalf expended.

Richard Tynes

Defendant,

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Watkins et als

v.

Tynes et als

Answer of Richard Tynes

Filed 3/26/21

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

Watkins et als.

v.

Tynes et als.

The answer of Nancy Edmonds to a bill of complaint fi filed against her and others in the Circuit Court of Isle of Wight County By Rebecca Watkins and others complainants.

This defendant reserving to herself the benefit of all just exceptions to the said bill of complaint, for answer thereto or to as much thereof as she is advised that it is material should be answered, answers and says:

That it is true that James R. Tynes died intestate with the heirs at law as stated in the bill and he was seized of the real estate mentioned. That she believes that the land can be partitioned in kind, and so desires.

And now having fully answered the complainants' bill this defendant prays to be hence dismissed with her reasonable costs by her in her behalf expended.

Nancy Edmonds

Defendant.

3

Watkins et als

v.

Tynes et als

Answer of Nancey Edmonds

Filed 3/26/21.

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

Watkins et als.

v.

Tynes et als.

The answer of Rosetta Tynes, Doris Tynes and Walter Tynes, infants under the age of twenty-ome years by William S Holland a discreet and competent attorney at law, their guardian ad litem, assigned to defend them in this suit and the answer of the said William S Holland guardian ad litem of the said infant defendants to a bill of complaint exhibited against the said infants and others by Rebecca Watkins and others in the Circuit Court of Isle of Wight County, Virginia.

For answer to the said bill, the said infant defendants by their guardian ad litem answer and say that being of tender years, they do not know what their true interests are in relation to the subject matter of the saidbill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the court. And the said guardian ad litem of the said infant defendants for answer to the said bill, answers and says tha t he knows nothing as to the the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants.

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

William S. Holland
Guardian ad litem.

Subscribed and sworn to, before me, Parke P. Deans a Commissioner in Chancery for the Circuit Court of Isle of Wight County, Virginia, in said County this 7th day of March, 1921.

Parke P. Deans
Commissioner in Chancery.

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Watkins et als.

v.

Tynes et als.

Answer of Guardian ad litem

Filed 3/26/21

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

To Honorable B. D. White, Judge of the Circuit Court of the County of Isle of Wight:

Your petitioners, Allean Watkins, Frank Watkins, Martha Black, Joseph Watkins, and Emily Watkins, respectfully represent, that:

(1) On the 26th. day of March, in the year 1921, Rebecca Watkins, Emma Roberts, Sarah E. Bidgood, Neolis Edwards, Cerase Edwards, and Margaret Thomas, filed their bill of complaint, on the Chancery side of thisCourt, against Richard Tynes, Nancy Edmonds, Rosetta Tynes, Doris Tynes, and Walter Tynes, praying partition of the lands whereof James R. Tynes, died seized and possessed.

(2) On the 30th. day of March, in the year 1921, a decree was entered in the said suit, directing a commissioner to make the inquiries therein set forth, and to report his findings.

(3) The inquiries were made, as directed, and report thereon was filed on the 5th. day of April, 1921, and in which partition of the land, mentioned in the bill in proceedings of the said suit, was recommended; and, that in making such partition there should be allotted and assigned to Rebecca Watkins, tract "Number One", containing 13.8 acres, she to pay in the Court, as owelty of partition the sum of three hundred dollars, which sum as appears from said report should be put into a general fund, and after payment of the costs of court, to be divided between and among all of the heirs of the said James R. Tynes, which included the said Rebecca Watkins.

(4) On the 6th. day of April, 1921, another decree was entered, confirming the report of the said commissioner and directing partition to be made as recommended by said report.

This is the last decree which has been entered, in said suit, the said suit being dismissed, the effect of which was to create a lien, in the nature of a vendor's lien, upon the land so allotted and assigned, to the said Rebecca Watkins.

(5) Since the entry of the decree last above mentioned, the said Rebecca Watkins has departed this life, intestate, leaving, as her sold heirs at law, your petitioners, without having discharged the lien created as aforesaid, by the payment of the amount of three hundred dollars as directed; and, since the entry of this decree herein referred to, Emma Roberts, Sarah E. Bidgood, and Neolis Edwards have departed this life. Your petitioners are not advised as to who, nor in what amounts, are entitled to receive the amount so decreed to be paid as owelty, as aforesaid; and, they believe that some part of the said amount is due to infants, who are incompetent to execute a release of the lien created upon said land as aforesaid upon the payment of the amount which may be due to them.

(6) Your p titioners say to the court that they are ready, willing and anxious, to make payment, and have provided therefor, of the sum of money due, by the said Rebecca Watkins, as owelty, herein, referred to.

Your petitioners therefore, pray that it may be ordered and decreed, that one of the commissioners of this court be directed to ascertain and report, to the court, who, and in what amounts, the said owelty should be paid, under the provision of Chapter 256 of the Acts of the General Assembly of Virginia, Session of 1920, page .

Respectively submitted,

Allean Watkins

Frank Watkins

Martha Black

Joseph Watkins

Emily Watkins.

By counsel

Johnson & Stephens, f.p.

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

Watkins, et als,

v)

Tynes, et als.

Petition

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Rebecca Watkins, Emma Roberts, Sarah E. Bidgood
Neolis Edwards, Cerase Edwards and Margaret Thomas

Complainants

versus

Richard Tynes, Nancy Edmonds, Rosetta Tynes,
Doris Tynes and Walter Tynes, the last three
are infants under the age of twenty-one years.

Defendants

To the Honorable B. D. White, Judge of the Circuit Court of Isle of Wight County, Virginia:

Your complainants, Rebecca Watkins, Emma Roberts, Sarah E. Bidgood, Neolis Edwards, Cerase Edwards and Margaret Thomas, respectfully represent as follows:

(1) That James R. Tynes a citizeen of Isle of Wight County, died on the__day of August, 1918 and was in his life-time, seized and possessed of certain real estate, described as,in Land Book as adjoining W. B. Gale and others and is in two tracts of 35 and 40 acres, respectively but by recent survey is eight-one and eight-tenths acres,qin Newport Magisterial District, Isle of Wight County, Virginia.

(2) That while so seized and possessed he died intestate leaving as his heirs at law the following: a daughter Rebecca Watkins, a daughter Emma Roberts, a daughter Sarah E. Bidgood, a daughter Nancy Edmonds, three grand-daughters-garet Thomas, Neolis Edwards and Cerase Edwards the children of _____a_____, and/a daughter Rosa Lee Tynes who has since died(November_____1918) leaving as her heirs, her husband Richard Tynes and three childred, Rosetta Tynes age 12 years, Doris Tynes age 9 years and Walter age 6 years. In other words, there are six divisions or parts.

(3) That the said real estate is, as they believe susceptible of partition among the parties entitled thereto; but should the property not be divisible in kind, complainants bel believe and here state that the interest of those who are entitled

to the said real estate or its proceeds, will be promoted by a sale of the whole of the same or by an allotment of part and the sale of the residue.

In consideration whereof and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity, they pray that the said Richard Tynes, Nancy Edmonds, Rosetta Tynes, Doris Tynes, Walter Tynes may be made parties defendant to this bill and required bot not on their oaths to answer the same, the oaths being hereby waived, the said adults in their own proper person, and the infants by guardian ad litem; that a proper guardian ad litem be appointed in this cause for said infants, who shall also answer this bill; that proper process issue; that the said estate be divided between the parties entitled thereto, or else, if it cannot be so divided, that it may be sold and the proceeds divided among the adult and infant parties according to their respective rights, the shares of the infants to be held as directed by statute for such cases, made and provided; that all proper orders, and decrees may be made, accounts taken. and inquiries directed; and that your complainants may have all such further, and other and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

And they ever pry etc.

Rebecca Watkins
Emma Roberts
Sarah E Bridgers
Nicholas Edwards
Rose Edwards
Margaret Thomas

Watkins et als

v.

Tynes et als

[illegible] of Complaint

Filed 3/26/21

Teste. R A Eaves

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.