1893-34 Southampton County Chancery - Gwaltney, William H. et als vs Arnold, Richard M.

Creditors suit

Arnold, Missouri
" , John
" , William Gray
Minors { " , Margaret A.
" , Estelle
" , Elizabeth R.
" , Isaac A.
Atkins, Herbert

~~2 & 4 Letters~~

+21

Swaltney

&

Arnolds

Papers

95

Gualtney

vs } Stat. Rules

Arnolds adv Qf

Received by Clerk Circuit
Court Aug: 13th 1873.

1871 Nov.

Clks Cost		$ 12 45
Shff		4 50
Com	Tyler	10 00
		50 00
Saw		$ 76 95

In Southampton County Court

Wm W Gwaltney who sues for himself & all the other Creditors of Isaac M Arnold who will come in & bear their part of the costs of this suit.

v

Richard W Arnold in his own right & as admr. of Isaac M Arnold dec Missouri Arnold John Arnold Wm Gray Arnold Margaret A Arnold Estelle Arnold Elizabeth R Arnold Isaac I. Arnold Herbert Atkins ~~an infant~~ last five infants

1871 Feby 10 Summ. issued

" Mar R Summ Ex on Missouri R W W G Arnold Bill filed L R Edwards assigned Gr. ad litem to infants Ans. of infants G. Rep. D Nisi v Dfts R W Arnold in her own right & as admx Missouri & W G Arnold New Summ. v. J W Arnold

" Apl R Summ. v. J W Arnold Ex? Bill taken for confessed as to Dfts R W Arnold in her own & as admx Wm G Missouri & W G Arnold D Nisi v Dft J W A

" May R Bill taken for confessed as to Deft. J W A. & Cause set for hearing &c as to all Defts &c

" " Term — Decree for acct &c

" Sept. " Leave for Dft M A Arnold to answer within 30 days.

" Nov " Decree to assign Dower & rent out land

Report.

1872 June 17 Decree for sale & further accts &c

" ~~30 Decree Confirmed~~

" Sep 10 Report

Gwarthuy
on Bill
Amotldó'achmuals

1871 March Rules

To the Honorable Joseph W Ingraham judge of the county Court of Southampton in chancery sitting

Humbly complaining your orator Wm Gwaltney who sues for himself and all the other creditors of Isaac N Arnold dec'd who will come in and bear their share of the costs of this suit sheweth unto your Honor that in June 1870 I. N. Arnold of Southampton dies intestate having considerable estate real and personal and leaving Nipsonia his wife and John Arnold, Wm Gray Arnold, Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold and Isaac I Arnold (the last four infants) his children and Herbert Adkins an infant, child of Nipsonia a daughter of I. N. Arnold dec'd his distributees and heirs at law and that his son Richd W Arnold qualified as his administrator as will appear by his certificate of administration herewith filed marked A and prayed to be taken as a part of this bill your orator states further that he has an account against the said estate herewith filed marked B and prayed to be taken as a part of this bill which account which he has applied to the administrator for payment who has refused saying he has no assets in hand

and that the widow and infant children having filed a bill in chancery claiming the Homestead exemptions he can pay out nothing except under a decree of the court Your orator sheweth further that the widow Nipsonia Arnold at the January rule 1871 of the county court of Southampton filed her bill in chancery against the Administrator and all the adult children of I. M. Arnold died to have the dower allotted and also the Homestead exemptions set asides for her and the infant children and this has rendered it necessary for your orator to come into this court to ascertain what may be left of the personalty and lands for the payment of Isaac M Arnold debts

In tender consideration whereof and inasmuch as your orator is without relief at Law and only entitled to relief in a court of equity where such matters are peculiarly cognizable he therefore prays that Nipsonia Arnold and Richard W Arnold both in his own right and as administrator of Isaac M Arnold dec'd John Arnold Mrs Gray Arnold and Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold Isaac I Arnold and Herbert Adkins the last five infants by some fit and proper person their guardian ad litem appointed for that purpose may be made parties defendant to this bill and that the court would compel them as full and perfect answer make to the allegations therein contained as if they had been thereto more fully and specially interrogated, that a commissioner of this court settle an account of R. W Arnolds transactions as administrator of Isaac M Arnold dec'd and also take an account of the actual and annual value of all the real estate of which the said I. M. Arnold died seized and possessed and that if the personalty is not sufficient to pay the said intestates debts then that the same may be sold out of his lands and that the court would grant such other and general relief the premises considered as equity may dictate and the nature of his case may require and as in duty bound your orator will ever pray &c

Shands p.q.

98

Arnold &
vs
Arnold &
Petition for
Supersedeas

To the Hon. Geo. Blow Jr. Judge of the Circuit Court of Southampton

Your Petitioners respectfully represent to the Court that.

That they filed their Bill in the County Court of Southampton against Richard W. Arnold adm of Isaac M. Arnold Estelle Arnold, Lizzie Arnold, I. P. Arnold & Herbert Arnold (last 5 Infants) having for its object the assignment of the Homestead of $2000. as allowed by the Constitution of Va and the Laws passed in pursuance thereof —

That the claim was resisted by Wm Herbert Arnold by guardian ad litem, and that at the Aug. term 1871 of said Court a decree was made deciding that your Petitioners were not entitled to such Homestead as against the ~~widow Isabella heirs~~ legal distributees and grand children of said Isaac M. Arnold dec'd.

Your Petitioners claim that under the 10 sec. of the Homestead Law they are entitled to said Homestead as against all others, whether Guardians or adult heirs, or grand children., ~~and that~~ not whether there are any Guardians or not.

That alice under the 1st sec. of said Law the Householder, if alive, is only entitled as against debts, that under

the 10 Sec. no such restriction is made.

Your Petitioners therefore pray that this Hon. Court will grant a writ of supersedeas

Mesonni arnold
Mary A. arnold
Estelle arnold
Lizzie R. arnold
Isaac M. arnold

by John R. Kilby atto.
9 Sep. 1871.

To the Honorable Joseph W. Urquhart judge of the County Court of Southampton in Chancery sitting

Bill—

Humbly complaining your orator Wm H. Gwaltney who sues for himself and all the other Creditors of Isaac M Arnold dec^d who will come in and bear their share of the costs of this suit Sheweth unto your Honor, that in June 1870 I. M. Arnold of Southampton died intestate leaving considerable estate real and personal and leaving Missouri his wife and John Arnold, Wm Gray Arnold Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold and Isaac I Arnold (the last four infants) his children and Herbert Adkins an infant, child of Missouri a daughter of I. M Arnold dec^d his distributees and heirs at law, and that his son Rich^d W Arnold qualified as his administrator, as will appear by his Certificate of administration herewith filed marked, A. and prayed to be taken as a part of this bill— Your Orator States further that he has an account against the said estate herewith filed marked, B, and prayed to be taken as a part of this bill, unpaid which he has applied to the administrator for payment who has refused saying he has no assets in hand and that the Widow and infant Children having filed a bill in Chancery claiming the Homestead exemption he can pay out nothing except under a decree of the Court—

Your Orator, States further that the Widow Missouri Arnold at the January Rules 1871 of the County Court of Southampton filed her bill in Chancery against the administrator and all the adult Children of I. W. Arnold to have her dower allotted and also the Homestead exemption set aside for her and the infant children and this has rendered it necessary for your Orator to come into this Court to ascertain what may be left of the personal property and lands for the payment of Isaac M Arnolds debts. In tender Consideration whereof and in as much as your orator is without relief at law and only entitled to relief in a Court of equity where

such matters are peculiarly Cognizable he therefore prays that Missouri Arnold and Richard W Arnold both in his own right and as administrator of Isaac N Arnold dec: John Arnold. Wm Gray Arnold and Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold, Isaac I Arnold and Herbert Adkins, the last five infants by some fit and proper person their guardian ad litem appointed for that purpose may be made parties defendants to this bill and that the Court would compel them as full and perfect answer make to the allegations therein contained as if they had been thereunto more fully and specially interrogated. That a Commissioner of this Court settle an account of R W Arnolds transaction as administrator of Isaac N Arnold dec^{d} and also take an account of the actual and annual value of all the real estate of which the said I. N Arnold died seized and possessed. and that if the personalty is not sufficient to pay the said intestates debts then that the same may be paid out of his land. And that the Court would grant such other and general relief, the premises considered as equity may dictate and the nature of their case may require. And as in duty bound your Orator will ever pray &c

Thands p. q

Answered

The answer of Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold, Isaac I Arnold and Herbert Adkins five infants children by L R Edwards their guardian ad litem appointed for that purpose to a bill in Chancery in the County Court of Southampton by Wm H. Gwathmey against them & others This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer, answering says that he knows nothing of the allegations contained in the plaintiffs bill, but submits the interest of his Wards to the care of this Court. whose peculiar duty it is to protect the rights of infants. And having fully answered prays hence to be dismissed with his Costs &c

Rec^{d} by Consent.

Wm B. Thands Counsel for plaint^{ff}

The answer of John H Arnold to a bill in Chancery in the County Court of Southampton by Wm Gwaltney against him and others —
This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering says that he submits his interest in this suit to the care of this Court and having fully answered prays hence to be dismissed with his costs —
Rec^d by Consent — Arnold & Shands Counsel for Pltff

The answer of Missouri Arnold widow of Rev^d Isaac H. Arnold dec^d to a bill in Chancery filed in the County Court of Southampton County by Wm H Gwaltney & against R W Arnold adm^r of Isaac H Arnold dec^d. This respondent says that it is true her husband, the said Isaac H. Arnold died and that R.W. Arnold qualified as his administrator and that the deceased left some considerable landed and personal estate Your respondent claims on behalf of herself & infant children (to wit, Margaret A. Estelle Lizzie R & Isaac Arnold) the Homestead & Constitutional exemption as allowed by law to extent of $2000 and which has been assigned her, and which she prays may not be disturbed, unless the Court should deem it Proper to reassess the same — That as to the debt due the plaintiff, or any other debts due by her late husband She requires Proof. And your Respondent will ever pray &c

Missouri A Arnold

May Term 1871

Gwaltney
v.
Arnolds adm^r &c.

Decree.

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to the Defendant Richard W Arnold, Missouri Arnold

and Wm Gray Arnold the answer of John W Arnold and the five infant defendants Margaret A Arnold, Estelle Arnold Elizabeth R Arnold Isaac I. Arnold and Herbert Adkins by L. R. Edwards their guardian ad litem general replication thereto and exhibits filed and was argued by Counsel On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court take the following accounts.

1st An account of Richard W Arnolds transactions as administrator of Isaac M Arnold dec'

2d An account of the debts outstanding against the estate of Isaac M Arnold stating their dignity and priorities also the if there be any judgments obtained against the said Isaac M Arnold in his lifetime and docketed and if so their priorities. 3d An account of the actual and annual value of all the lands whereof the said Isaac M Arnold died seized and possessed and report the said accounts together with any matters specially stated deemed pertinent by himself or which may be required by any of the parties interested to be so stated.

Report. Estate of Isaac M Arnold dec'

In account with R W Arnold his administrator.

1870 Nov. 20	By amt Sales of Chattel property				$	255 15
	To paid W. H. Swaltney		30	00		
	" paid Rogers & Bro. & Co.		8	00		
	" paid J. M. Story		36	00		
	" paid Geo. W Prince & Co.		149	50		
	" paid Clerks tickets, 2.		5	04		
	" amt retained pay recording Inventory & appraisement		5	00		
	" Commissions on $255 15 @ 5 pr Ct.		12	75		
	Balance due Est.		8	86		
		$	255	15	$	255 15
Dec. 31	By balance due Est. brot down	$				8 86

with interest from this day till paid.

Respectfully Submitted. James R Tyler Com'r

An account of the actual and annual value of the land belonging to Isaac M Arnold dec.

	Actual Value	Annual Value
One tract of land on the Asamoosick containing 710 acres	2840 00	300 00

Respectfully Submitted

James R Tyler Com

An account of outstanding debts or demands against the Est. of Isaac M Arnold dec. proved before me Ja R Tyler Commissioner in Chancery and classed according to their respective dignities.

4 Class.

Bond due R. F. Barham by Jn. N. Preston J. W. Arnold principal & W. W. Cobb Sety.	100 00	
Int. from 18 May 1868 to 20 Dec. 1869	9 50	
	109 50	
Paid 20 Dec. 1869	12 64	
	96 86	
Int. on Same fr: 20 Dec. 1869. 1 Aug. 1871	9 23	
		106 09
Account due James R Kello for	4 00	
Int for Jany 1st 1863 to Aug 1871.	2 06	
		6 06
Note due Sam'l Kello for.	6 00	
Int fr: 3d July 1855 to 1 Aug 1871	5 79	
		11 79
Bond due A.T. Barham for.	85 00	
Int fr: 1st June 1861 to 1st Aug 1871	51 85	
		136 85

Acct due Wm H Nicholson for	7	75		
Int. fr: 1 Jany 1868 to 1 Aug 1871.	1	66		
			9	41
Bond due C W Nicholson for	133	08		
Int fr. 16 March 1869 to 1 Aug. 1871	19	96		
			153	04
Acct due C W Nicholson for	19	20		
Int fr: 1 Jany 1870 to 1 Aug 1871	1	82		
			21	02
Acct due C W Nicholson for.	15	61		
Int from 1 Jany '71 to 1 Aug 1871		52		
			16	14
Acct due C W Nicholson for	9	63		
Int fr: 1st Jany 1870 to 1 Aug 1871.		91		
			10	56
Carr° forward			470	96
To amt brot over			470	96
Acct due W H Gwaltney	40	00		
Int fr. 1 Jany 1871 to 1 Aug 1871.	1	40		
			41	40
Amt y to			$ 512	36

Respectfully Submitted

James R Tyler Com

A/c account of all judgments obtained against Isaac M Arnold in his lifetime and their priorities &c

James Drewry judgment for	600	00		
Int. fr 19 Dec. 1860 to 14 March 1863	80	50		
	680	50		
Paid 14. March 1863.	523	00		
	157	50		
Int on Same to 1 Aug. 1871.	79	19		
	236	69		
Costs	10	15		
			$	246 84

Docketed January 5th 1871.

Respectfully Submitted

James R Tyler Comr

Commissioners Office
Jerusalem July 24 1871

To the County Court of Southampton County.

Pursuant to a decree of the County Court of Southampton County rendered at the May Term 1871 in a Suit in Chancery pending in the said Court between Wm H Gwaltney and Missouri Arnold and Richard W Arnold in his own right and as admr of I M Arnold & others, the undersigned one of the Commissioners in Chancery of the said Court to whom was referred for Settlement by said decree the following account 1st An account of Richard W Arnolds transactions as admr of Isaac M Arnold dec'd

2d An account of the debts outstanding against the estate of I. M Arnold, Stating their degree & Priority's also the (if there be any) judgments obtained the

said J. M. Arnold in his lifetime and docketed and of so their priorities —

3ly. An account of the actual and annual value of all the land whereof the said J. M. Arnold died seized & possessed &c. reports to the Court that on the 23d. day of May last he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said accounts before him at his said office on the 18 day of July. which were returned to your Commissioner duly executed. That the parties "by Attorney" appeared before the Commissioner in obedience to said notices. and he thereupon examined Stated Settled the foregoing accounts of the said R.W. Arnold adm: aforesaid and find a balance due the est. to be $8.86. Also made up an account of outstanding debts and finds the amount to be $512.36¢ including interest to 1st August 1871. An also an account of judgments obtained against J.M. Arnold in his lifetime and finds the amount to be $246.84 including interest to 1st August 1871. And an account of the actual & annual value of the land belonging said Arnold dec'd. The Commissioner respectfully states specially that there is only one judgment reported to him which binds the said Arnolds land. The Commissioner further reports to the Court that after the Completion of the said accounts he retained the same in his office ten days for the examination of the parties which with the decree and notices are herewith returned. Given under my hand as Commissioner aforesaid the day and year first aforesaid.

James R Tyler

Commissioners fee for acct: }
opening notices &c. $10.00 }

— November Term 1871 —

Gwaltney }
v. } Decree
Arnolds adm'x }

Decree

This day this cause came on again to be heard on the papers formerly read the answer of Missouri A Arnold and general replication thereto.

and the report of Commissioner Tyler to which no exceptions have been filed and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that the said report be confirmed And the Court being of opinion that the widow Mesouri A Arnold is not intitled to the benefit of the Homestead law in her husband Isaac M Arnolds estate as against the debts which have been proved against the estate and reported in Commissioner Tylers account. and it appearing further from the said report that the rents and profits of the real estate will pay off all the debts within five years, the Court doth further adjudge order and decree that Wm N Sebrell Wm Urquhart and James E Sebrell who are appointed Commissioners for that purpose, who shall after having given reasonable notice to all the parties interested proceed to allot to Missouri A Arnold dower in the real estate whereof her husband died seized and possessed, it being one third in value having regard to quality and quantity and report their proceedings to Court in order to a further decree. And the Court doth further adjudge order and decree that Wm W Briggs Sheriff of Southampton shall after dower has been allotted rent out all the lands whereof I M Arnold died seized and possessed annually and after paying the costs of this suit including a fee of fifty dollars to Wm B. Shands the plaintiffs Counsel, pay the money arising from said rents pro rata among the creditors who have proved their debts until the same shall have been paid except the judgment of James Drewry for $246.84 cts which being a judgment obtained in the lifetime of I M Arnold is a preferred debt and is to be first paid first and in full. and the said Sheriff is to report his proceedings under this decree annually to the Court until the debts shall have been paid.

Copies.

Teste, James R Tyler Clk

To the Hon. Geo. Blow, Judge of the Circuit of Southampton County. The Undersigned, Mysonii Arnold, widow of Isaac Arnold, respectfully asks for a supersedeas in this case, & for a hearing in the said Court. She alleges error in the decree of the County Court of said County in this, that she is refused her Homestead Exemption. She prays that the decree of said County Court may be reversed, & her homestead allowed her.

Mysonii Arnold
by atto.
6 June 1872

To the Hon. Geo. Blow. Judge of the Circuit Court of Southampton County. The undersigned certifies that in his opinion there is error in the decree of the County Court above named.

John R. Kelly atto.
6 June 1872

Norfolk. July 11th 1872.

Supersedeas Awarded on the Case. Bond required, as the Law directs in the penalty of $200.00 &. Conditioned according to Law.

Geo Blow.
Judge 1st Jud. Circ.

Gwaltney
vs
Arnolds adm &c

Copy Papers

1873 May Decree &c

KNOW ALL MEN BY THESE PRESENTS, That we

~~Hezekiah Arnold~~ John R Kilby & S R Edwards

Wm H Gwaltney

are held and firmly bound unto ~~the~~ Commonwealth of Virginia in the just and full sum of

Five hundred

dollars, good and lawful money of Virginia, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this 13 day of July A. D. 187 2.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that ~~if the above bound~~ whereas the above bound Hezekiah Arnold has preferred to the judge of the Circuit Court of Southampton County a petition for a writ of Supersedeas to a decree of the County Court of Southampton County rendered on the 20 day of November 1871. in a suit in Chancery in which Wm H. Gwaltney who sues for himself & all the other Creditors of Isaac McArnold dec'd who will come in and bear their share of the costs of this suit is Plaintiff & Richard N. Arnold both in his own right & as Admr of Isaac McArnold dec'd & others Defendants. Which petition is allowed & Supersedeas allowed as prayed for & now the said Hezekiah Arnold shall prosecute said writ with effect or pay & satisfy all such Costs & damages as shall be awarded against her in case the decree is affirmed

~~shall faithfully discharge the duties of his said office or trust according to law~~, then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of ~~the Court.~~

John R. Kilby [SEAL.]

S R Edwards [SEAL.]

[SEAL.]

[SEAL.]

Jonathan

vs

Arnold's admrs &c

Answer of the infant
defendants by Gen
and Guardian

The answer of Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold, Isaac J Arnold and Herbert Adkins five infant children by L. R. Edwards their guardian ad litem appointed for that purpose to a bill in chancery in the County Court of Southampton by Wm B Gwaltney against them and others

This defendant for answer to the said bill or so much thereof as he is advised it is material for him to answer answering says that he knows nothing of the allegations of the plaintiff bill but submits the interests of his wards to the care of this court whose guardian duty it is to protect the rights of infants and having fully answered prays hence to be dismissed with his costs &c

Read by counsel

Wm B Shands

counsel for plaintiff

Arnolds Adms vs

Adms } answer of
} John Arnold
}

Gwathmey

The answer of John W Arnold to a bill in
chancery in the county court of Southampton
by Wm Gwathmey against him and others

This defendant for answer to the said
bill or so much thereof as he is advised it
is material for him to answer, answering
says that he submits his interest in this
suit to the care of this court and having
fully answered prays to be dismissed
with his costs

Rec'd by consent

Arnold & Staples
Comm for plaintiffs

Rec'd. from C. W. Nicholson on two bonds $254.24

W. A. McGaa

May 22nd 1893

1869 Mr L. Arnold's Estate

To E. H. Englis

To Ten pair at 75 ₵	750
To half Soling 3 pair Shoes — — —	150
halfsoling Boots	50
24 applatres a 1₵ — —	400
1 Side of Lether	360
Stirrup Lethers	25
Bt from Jany 1st 1870	17.35

Jan 5 1871 ~~Sat~~ J English this day appear before me and made oath to the within acount

John S Coker J P

Aug 7th 1872. This day personally appeared before me F M Sebrell a Commissioner in Chancery for the Circuit & County Courts of Southampton Co. Franklin English and made oath to the Correctness of the within accounts.

F M Sebrell
Comm

J. Arnold Esq
W B English
Allen
P P C

1868 Mr I Arnold Estate

To N J English

To making one pair Shoes	225
do	125
do	125
do	225
do	250
do	~~250~~
do	250
do	250
do	225
do	50
Int from 1st Jany 1869	1725

June 8 1871

Estate of Franklin English Minor child of Asa & Elizabeth English deceased

Before me made oath A. M. Arnold Asa Arnold Admr of the Estate of Franklin English deceased

Aug 16th 1872. This day personally appeared before me Dr. Debell a Commissioner in Chancery for the County & Circuit Courts of Cumberland Franklin English and made oath to the correctness of the within account

Dr. Debell
Comr

1870 I. Arnold estate

In N. J. English

To making 4 pair shoes at 75 ℔	3.00
half soling shoes for B. Gray	50
vamping & halfsoling shoes	75
mending shoes for Joseph	25
Dr to from Jany 1st 1871.	4.50

1871 Jan 3 Nat B English this day apeard before me and made oath to the within account

John S Cokes JP

Aug 19th 1872.

This day personally appeared before Me J N Sebrell a Commissioner in Chancery for the County & Circuit Courts of Southampton, Franklin English and made oath to the correctness of the within account.

J N Sebrell Comr

Nat B English
Ap To
Wm A Arnold
Acct
Filed

Petition of
A. J. English
& others

To the Hon. N. Upshark Judge of the County Court of Southampton
In Chancery

The petition of Sarah G. English & others respectfully show as follows that in a Chancery Cause now depending in this Court of Equality as Amos Edmonds a decree has been rendered directing an account of outstanding debts against Jno. Amos Estate which said report has been returned.

That among the debts included in said report the debt due your petitioners was not included ~~in said account~~ A. G. English for $40.00 100

Therefore your petitioners pray that an order may be entered in this cause directing a further account of debts against said Estate, and that said debts be allowed. And as in duty bound they will ever pray &c

Sebrell p.p

R. W. Arnold

186 6 To RICHMOND WHIG, Dr.

Oct. 20 To Advertising Southampton Land

2 - y d 2 w, $13 50

VALUABLE SOUTHAMPTON LAND

FOR SALE.--The "THORNTON ABBEY" Farm, situated 12 miles east of the Norfolk and Petersburg railroad, in the above county, containing about 1,000 acres of land, proportionately cleared for cultivation, and adapted to the growth of grain and cotton, with fences in good condition, and well watered. It has on it a two-story dwelling, with all necessary out houses. Also, four fine apple and peach orchards, which may be made productive of a large yield of brandy. Location for health and society very desirable.

For further particulars apply to

R. W. ARNOLD,

oc20-d2w Clarksville, Va.

For the Proprietors.

Rev. J. M. Arnold

acct.

for 1869 & 68

$10,26

(B)

Allen

$15.1

Rev. J. M. Atwood

Bot. of Sabell & Barham

1869				
July	3rd	To 1 pr shoes	$ 2.30	
"	"	" 3 Pullen beans	96	
"	17	" Mdse for Burwell	$ 4.00	
"				
1868				
Nov.	26	To 1 Gallon whiskey	$ 3.00	
				$ 10.26

Rev. I. M. Arnold

1869		Bot of Jas. E. Sebrell & Barham					
Nov	8	1 Pr boots		5.50			
Dec	23	3 skeins silk	5	.15			
"	25	Mdse for Stephen Gordwyn		8.80			
"	"	Mdse for John Evans		1.10			
"	"	8 yds shirting	21	1.68			
"	"	silk & lamp wicks		.30	$	17.	48
		interest up to aug 1st 1871				1.	66
1870		Mdse for Mary		2.40			
		" " Henry Taylor		.25			
		" " Mollie		1.25			
Apl	13	Bot ink & file	10+20	.30			
June	11	9 yds calico 11, 1/2 yd	12	1.14			
"	"	gum note paper 15, pr cuffs 45		.60			
"	"	1/2 Doz buttons & Envelopes 15		~~.26~~			
"	23	1 gal oil & lamp chimney & wicks		.60	$	7.	05
		interest up to Aug 1 1871					.53
1870		Bot of I. M. Arnold Dr.					
July	23	1 gal oil		.45			
"	30	16 lbs sugar	15	1.50			
Aug	30	23 yds Blk calico	13	3.00			
Sept	16	soda & cus. silk		.25			
"	23	gal oil		.45			
Oct	7	2 prs shoes & postage stamps		4.03			
"	15	Mdse for Cicero Boykin		3.00			
"	"	" " Nancy		1.25			
"	18	painting 2,50, 18 yds Blk calico		5.05			
"	"	3 yds shirting, flax, & blacking		.58			
"	"	cup tin stone jar & chignon		1.90		22.	46
		interest up to Aug 1 1871				1.	11
					$	50.	34

I. M. Arnold

a/c

$ 50 34

with

I.E. Schultz Bakery

(A)

Allowed

K.V.

Rev J. M. Arnold

1869		Bot of W. N. Sebrell			
March	17	4 bu Oats	3	00	
June		3½ bu bk Peas	3	50	
Sept		16 bu corn	17	60	
1870					
March	19	5 bu Oats	3	75	
"	"	Freight pd Hughes		75	
Febry	9	Making 2 bolts		25	
"	"	Making 2 bed pins to cart		25	
"	"	Making 2 clamps	1	00	
"		Selling Axle tree	1	50	
"		Making 30 nails		30	
"		Shrinking Tire	1	50	
"		Bushing & boring Wheels	3	00	
"		11 fellows	~~4~~ 5	50	
"		Putting in spoke in wheel		25	
"		Making Cart	8	00	
"		Making bolster for Axle tree	1	00	50 05

1869 Co

To the Hon. J. W. Wyndham - Judge of the County Court of Southampton -

In Chancery.

The petitions of James E. Sebrell, & R. F. Barham, Merchants &c. and W^m N. Sebrell & R. F. Barham, late partners, & W. N. Sebrell, & the Richmond Whig Co, respectfully show as follows, that in a Chancery cause now depending in this Court of Gwaltney vs Arnold Admr &c, a decree has been rendered directing an account of outstanding debts against I. M. Arnold's Estate, which said report has been returned. That among the debts included in said account, the debts due your petitioners as above are not included. That the said Arnold was indebted in his lifetime to J. Sebrell & Barham in the sum of $50.34, as will appear from acct filed - marked (A) - to W. N. Sebrell & Barham in the sum of $10.26 - as will appear from copy of acct filed - marked (B) - to W. N. Sebrell in the sum of $50.05 - as will appear from acct filed marked (C) - and to Richmond Whig Co - in the sum of $13.50 - as will appear from a copy of acct filed marked (D) - Wherefore your petitioners pray that an order may be entered in this cause directing a further account of debts against said Estate, and that said debts be allowed - and as in duty bound, they will ever pray &c.

J. E. Sebrell & Co.

"

COMMISSIONER'S OFFICE,

JERUSALEM, June 19. 1837.

To the *Creditors* of the Estate of
Isaac M. Arnold
deceased, and all others concerned.

You are hereby notified, that ~~at the request of~~ By a Decree of the County Court
~~Administrator of the estate of the said~~ of Southampton deceased,
I have appointed the 18th day of July next, at my Office, for receiving proof of debts or demands, against the said decedent or his estate, at which time and place you are required to attend.

Given under my hand, as a Commissioner of the County Court of Southampton County, the day and year first aforesaid.

James R Sykes
Commissioner.

May be required by any of the parties interested,
to be so stated—

A Copy Teste,

James R Taylor, D.C

Francis Dunn
vs.
Chas Wickliffe admr &c—

5 Affidavits
18 Aug 1841

Southampton County Court May Term 1871—

William H. Gwaltney Plaintiff— In Chancery

against

Mispani Arnold, and Richard W. Arnold, both in his own right and as Admr. of Isaac M. Arnold decd— John Arnold, Wm. Gray Arnold, and Margaret A. Estella, Elizabeth R. and Isaac T. and Herbert Atkins, the last five Infants by L R Edwards their Guardian ad litem Defendants—

This day this Cause came on to be heard on the Plaintiffs bill taken for confessed as to the Defendants Richard W. Arnold, Mispani Arnold, and Wm. Gray Arnold, the admrs of John W. Arnold and the five Infants Defendants by L R Edwards their Guardian ad litem— general replication thereto, and Exhibits filed and was argued by Counsel, On Consideration whereof the Court doth adjudge, Order and decree, That two of the Commissioners of this Court take the following Accounts; 1st. The Account of Richard W. Arnolds transactions as administrator of Isaac M. Arnold decd— 2nd. An Account of the debts outstanding against the Estate of Isaac M. Arnold, Stating their dignity, and priorities, also the, (if there be any) Judgments obtained against the said Isaac M. Arnold in his lifetime, and docketed, and if so, their priorities— 3rd. An Account of the actual and annual value of all the Lands whereof the said Isaac M. Arnold died Seized and possessed, and report the said Accounts together with any Matters Specially Stated, deemed pertinent by himself, or which

may be required by any of the parties interested,
to be so stated.

A Copy Test,

John C. Taylor, D.C.

Teachers Salaries
vs.
Council &c

5 Exhibits
18 Feb 1831

Gwaltney
v.
Arnold ad

Com: Notice

Executed by delivering a Copy
of the within to R W. Arnold
and W Irby Arnold June 5th
1871

E D Thornton P.P.S.
R Wilson Sheriff

COMMISSIONER'S OFFICE,

Jerusalem May 23rd 187

TO W.m H. Gwaltney Pff.

v.

Mispah Arnold and Richard W Arnold both in his own right and as adm.r of Isaac M. Arnold dec.d John Arnold W.m Gray Arnold and Margaret A. Estelle. Elizabeth R. and Isaac I. Arnold and Herbert Adkins the last five infants by L.R. Edwards their Guardian ad Litem —

Defts

You are hereby notified that I have fixed upon the 18th day of July next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

1st An Account of Richard W. Arnold Transactions as adm.r of Isaac M. Arnold dec.d —

2nd An Account of the debts outstanding against the Est. of Isaac M. Arnold stating their dignity, and priorities also the (if there be any) Judgments obtained against the said Isaac M. Arnold in his lifetime & docketed and if so their priorities —

3rd. An Account of the Actual and Annual Value of all the Lands whereof the said Isaac M. Arnold died seized & possessed and report the said accounts together with any matters specially stated &c.

3

required to be taken by a decree of Southampton ~~Circuit~~ County Court, rendered on the May Term day of ——— 187/, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

To the Sheriff of ~~Southampton~~ Sussex County to execute.

James R Tyler Commissioner.

Gwaltney
vs
Arnolds ad.
} Com. Notice

COMMISSIONER'S OFFICE,

Jerusalem May 23rd 187/

TO William A. Gwaltney Plff

against

Missouri Arnold and Richard H Arnold both in his own right and as adm of Isaac M. Arnold dec'd John Arnold. Wm Gray Arnold and Margaret A. Arnold Estella Elizabeth R and Isaac I Arnold and Hubert Adkins the last five Infants by L R Eon and their Guardian ad litem Defts

You are hereby notified that I have fixed upon the 18 day of July next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: 1st An account of Richard H Arnold's transactions as adm of Isaac M. Arnold dec'd.

2nd An Account of the debts outstanding against the Estate of Isaac M. Arnold Stating their dignity, and priorities. also the, (if there be any) Judgments obtained against the said Isaac M. Arnold in his lifetime, and docketed, and if so their priorities.

3rd. An Account of the actual and annual value of all the Lands whereof the said Isaac M. Arnold died seized and possessed and, report the said account together with any matters specially stated &c

required to be taken by a decree of Southampton ~~Circuit~~ County Court, rendered on the May Term day of _____ 187/, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

To the Sheriff of Southampton County to execute.

James R. Tyler *Commissioner.*

Gwaltney

v } Com. Tylers Repl.

Arnolds adm ⁊

1871 July 25.

The Estate of Isaac M Arnold Dec'd

In account with R. W. Arnold his administrator

1870			Dr		Cr	
Nov	20	By amt sales of chattel property			₶253	15
		To paid W. H. Gwatney	30	00		
		" paid Rogers & Bro & Co	8	00		
		" paid J. M Story	36	00		
		" paid G. W Prince & Co	149	50		
		" paid Clerks Tickets (2)	5	04		
		" amt retained pay recording Inventory & appraisement	5	00		
		" Commissions on ₶253.15 @ 5%	12	75		
		" Balance due Est	8	86		
			₶255	15	₶253	15
Dec	31	By Balance due Est brot down with interest from this day til paid			₶ 8	86

Respectfully Submitted
James R. Tyler
Com

An Account of the Actual and annual Value of the Land belonging to Isaac M Arnold dec'd

	Actual Value	Annual Value
One Tract Land on the Aspamwick containing 710 acres	₰2840 00	₰300 00

Respectfully Submitted
James R Tyler
Com

An Account of outstanding debts or demands against the Est of Isaac M. Arnold dec'd. proved before me. Jas R. Tyler Commissioner in chancery. and classified according to their respective dignities.

4 Class

Bond due R. F. Barham by Jn A Rupon I M Arnold principal & Wm. Cobb Sur	₰100	00		
Int from 18th May 1868. to 20 Dec 1869	9	50		
	109	50		
Paid 20th Dec 1869.	12	64		
	₰96	86		
Int on same fm 20 Dec 1869. 1 Augt 1871	9	23		
			106	09
Acct due James R. Kells fm	4	00		
Int fm 1 Jany 1863 to 1 Augt 1871	2	06		
			6	06
Note due Saml Kells fm	6	00		
int fm 3rd July 1853 to 1 Augt 1871	5	79		
			11	79
Bond due W. T. Barham fm	85	00		
int fm 1st June 1861. to 1st Augt 1871	51	85		
			136	85
Acct due Wm H. Nicholson fm	7	75		
int. from 1 Jany 1868 to 1 augt 1871	1	66		
			9	41
Bond due C. W Nicholson fm	133	08		
int fm 16 March 1869 to 1 augt 1871	19	96		
			153	04
Acct due C.W. Nicholson fm	19	20		
int fm 1 Jany 1870 to 1 augt 1871	1	82		
			21	02
Acct due C. W Nicholson fm	15	60		
int fm 1 Jany 1871 to 1 augt 1871		54		
			16	14
Acct due C W Nicholson fm	9	65		
int fm 1st Jany 1870 to 1st Augt 1871		91		
			10	56
Card forward			₰470	96

To amt brot over			470	96
Acct due W. H. Gwaltney. for Coffin	40	00		
int fm 1 Jany 1871. to 1 Augt 1871	1	40		
			41	40
amt to			₰512	36

Respectfully Submitted
James R Tyler
Com

An Account of all Judgments obtained against Isaac M Arnold in his lifetime. and their priorities &c

James Drewry Judgt for	600	00		
int from 19th Dec 1860 to 14 March 1863	80	50		
	680	50		
Paid 14 March 1863	523	00		
	157	50		
int on same to 1 August 1871	79	19		
	236	69		
Costs	10	15		
			₰246	84

docketed January 2nd 1871.

Respectfully Submitted
James R. Tyler
Com

Commissioners Office
Jerusalem July 24th 1871

To the County Court of Southampton County.

Pursuant to a decree of the county court of Southampton County rendered at the May Term 1871. in a suit in chancery pending in the said court between William H Gwaltney and Stephen Arnold and Richard W Arnold in his own right and as admr. of I. M Arnold & others. the undersigned one of the Commissioners in chancery of the said court to whom was referred for settlement by said decree the following account. 1st An account of Richard W. Arnolds transactions as admr. of Isaac M Arnold dec'd.

2nd An account of the debts outstanding against the estate of I M. Arnold. stating their dignity and priorities also that if there be any Judgments obtained against the said I. M. Arnold in his lifetime and docketed and of their priorities.

3rd. An account of the Actual and annual Value of all the Land whereof the said I M Arnold died seized & possessed & I. respects to the court that on the 23rd day of May last he issued notices against the several parties aforesaid. requiring them to attend the settlement of the said accounts before him at his said office on the 18 day of July. which were returned & now Commissioner duly executed. that the parties "by attorney" appeared before the Commissioner in obedience to said notices. and he then upon examined stated and settled the foregoing accounts of the said R W. Arnold adm aforesaid and finds a balance due the est. to be ₰8.86. also made up an account of outstanding debts and finds the amount to be ₰512.36 & including interest to 1st August 1871. & also an account of Judgments obtained against I. M Arnold in his lifetime and finds the amount to be ₰246.84 including interest to 1st August 1871. and an account of the Actual & Annual Value of the Land. belonging said Arnold. dec'd. The Commissioner respectfully states, (specially) that there is only one Judgment reported to him which binds the said Arnolds land. The Commissioner further reports to the court that after

the Completion of the said accounts. he obtained the same in his office ten days. for the examination of the parties. which with the decree and notices are herewith returned

Given under my hand as Commissioner aforesaid the day and year first aforesaid

James R. Tyler

Commissioners fee for acct
& issuing Notices &c $10.00

140

Gwaltney &c.

v.

Arnold &c

answer of

Mr. Meserve Arnold

1871 Sept. 18 by leave

The answer of Missouri Arnold, widow of Rev.d Isaac M. Arnold dec.d to a Bill in Chancery filed in the County Court of Southampton County by Wm. H. Gwaltney &c. against R.W. Arnold adm.r of Isaac M. Arnold dec.d and others.

This respondent says that it is true her husband, the said Isaac M. Arnold died, & that R.W. Arnold qualified as his admor. and that the deceased left some considerable landed and personal estate.

Your Respondent claims on behalf of herself & Infant children (to wit Margaret A. Estelle, Lizzie R, & Isaac Arnold) the Homestead & Constitutional exemption as allowed by Law, to extent of $2000, and which has been assigned her, and which she prays may not be disturbed, unless the Court should deem it proper to reassign the same.

That as to the debt due the plaintiff, or any other debts due by her late husband she requires proof. And your Respondent &c. prays &c.

(signed)

Missouri A. Arnold

140

Gwaltney
~~Arnold~~

Report of Doctrs

Arnold &

1872 Feby. 19

To the Hon. Judge of the County Court of Southampton.

We the undersigned Commissioners, appointed at the December Term of the County Court of Southampton to assign Dower in the lands whereof I. M. Arnold died, seized & possessed to M. A. Arnold, widow of the said I. M. Arnold dec'd, beg leave to report, that we have assigned, as said Dower, the portion of land described as follows;—

Beginning at a point on the Petersburg & Jerusalem road, on the boundary line between the lands of I. M. Arnold dec'd and Henry M Butts, thence along said line East to an old path extending North & South, thence along said path, thence on a continuous line to a ravine running south of a log house, thence up said ravine, thence on a continuous line to the Petersburg & Jerusalem road, thence down the said road to the starting point.

We furthermore report that inasmuch as the portion of land assigned as Dower & described above, will not furnish a competent supply of wood for fire & fences, that the aforesaid M. A. Arnold be granted the privilege to get fire wood & rail timber on the land belonging to the Estate of I. M. Arnold & lying west of the Petersburg & Jerusalem road.

Respectfully submitted

Commissioners

Wm Urquhart
Wm N. Sebrell
Jas. E. Sebrell

Feby 15th 1872.

We acknowledge legal Service of the within

this

R. W. Arnold
W. G. Arnold

Arnold &
2 Supersedeas
to
3
Arnold &
1871 November Cir. Ct.

The Commonwealth of Virginia.

To the Sheriff of ~~Southampton~~ Sussex County - Greeting

We command you that from all further proceedings on a decree of the County Court of Southampton County rendered on the 22d day of August 1871 in a certain suit in Chancery between Missouri Arnold, widow, Margaret A Arnold, Estelle Arnold, Lizzie R Arnold & Isaac Joseph Arnold, the last four being infants suing by the said Missouri Arnold their next friend plaintiffs and Richard W Arnold admr. of Isaac M Arnold dec'd & in his own right, John W Arnold, Wm. G. Arnold, Herbert Adkins an infant by Wm. L Adkins his guardian ad litem Defendants, whereby it was adjudged, ordered and decreed that the plaintiffs take nothing by their bill, but that the same be dismissed and that the defendants recover of the plaintiffs their costs expended in the cause, you altogether supersede, which decree before our Circuit Court of Southampton County for cause of error in the same to be corrected, on the petition of the said Missouri Arnold, Margaret A Arnold, Estelle Arnold, Lizzie R Arnold & Isaac Joseph Arnold, the last four being infants suing by the said Missouri Arnold their next friend, they having given security to prosecute with effect, and if the decree aforesaid shall be affirmed to pay the same and all such damages and costs as shall be awarded - We also command you that you give notice to the said Richard W Arnold admr. of Isaac M Arnold dec'd & in his own right, John W Arnold, Wm. G. Arnold & Herbert Adkins an infant by Wm. L Adkins his guardian ad litem, that they be before the Judge of our said Circuit Court at the Court house on the first day of the next term thereof, then and there to have a rehearing of the whole matter in the decree aforesaid contained. And have then there this Writ. Witness Erwin White Clerk of our said Court at the Court-house this 16th day of October 1871, in the 96th year of the Common-wealth.

E White Clk

Arnold

v. } Supersedeas

Gwaltney

1872 November Cir: Ct.

Wm Urquhart
Ja, Eshelman
W W Cobb
~~Wm Urquhart~~
W. M. Eshelman

Sussex.

Executed August 26th 1872 by delivering a copy of the within to W. H. Gwaltney.

W. W. Rivards dpty for
S. P. Hargrave Sheriff.

The Commonwealth of Virginia

To the Sheriff of ~~Southampton~~ Sussex County. Greeting

We command you that from all further proceedings on a decree of the County Court of Southampton County rendered on the 20th day of November 1871, in a certain Suit in Chancery between Wm H Gwaltney who sues for himself and all other Creditors of Isaac M Arnold dec'd who will come in & bear their share of the costs of this suit plaintiff and Missouri Arnold and Richard W Arnold both in his own right and administrator of Isaac M Arnold dec'd & others Defendants, whereby it was among other things adjudged, ordered and decreed that the widow Missouri Arnold is not entitled to the benefit of the homestead law in her husband Isaac M Arnolds estate as against the debts which have been proved against the estate and reported in Commissioner Tylers account - you all together supersede which decree before the Circuit Court of Southampton County for cause of error in the same to be corrected on the petition of the said Missouri Arnold we have caused to come, she having given Security to prosecute with effect and if the decree aforesaid shall be affirmed to pay all damages and Costs as shall be awarded - We also command you that you give notice to the said Wm H Gwaltney that he be before the judge of our said Circuit Court at the Courthouse on the first day of the next Term thereof then and there to have a rehearing of the whole matter in the decree aforesaid contained. And have then there this Writ -

Witness. Littleton R Edwards Clerk of our said Court at the Courthouse this 15th day of July 1872. in the 97 year of the Commonwealth -

L. R. Edwards Cl

Executed Oct 21st 1871 by going to the usual place of abode of W. L. Adkins Gdm &c & not finding him at home I delivered a copy of the within Supersedeas to Mr A. Adkins his wife, she being a member of his family & above the age of 16 year

C. Armstrong Sgt.
Pety Cty

Arnold Ky
vs
L. Adkins &c
Supersedeas
Arnold Ky
1871 November Cir. Ct.

Mrs L. R. A.

The Commonwealth of Virginia

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Petersburg. Greeting:

We command you that from all further proceedings on a decree of the County Court of Southampton County rendered on the 22d day of August 1871, in a certain suit in Chancery wherein Missouri Arnold, widow, Margaret A Arnold Estelle Arnold, Lizzie R Arnold & Joseph Isaac Arnold, the last four being infants suing by the said Missouri Arnold their next friend plaintiffs and Richard W Arnold admr. of Isaac M Arnold dec'd & in his own right John W Arnold Wm G. Arnold & Herbert Adkins an infant by Wm D Adkins his guardian ad litem Defendants, whereby it was adjudged, ordered and decreed that the plaintiffs take nothing by their bill, but that the same be dismissed and that the Defendants recover of the plaintiffs their costs expended in the cause, you all together Super-sede which decree before our Circuit Court of Southampton County for cause of error in the same to be corrected, on the petition of the said Missouri Arnold, Margaret A Arnold, Estelle Arnold, Lizzie R Arnold & Isaac Joseph Arnold, the last four being infants suing by the said Missouri Arnold their next friend, they having given security to prosecute with effect, and if we have caused to come the decree aforesaid shall be affirmed to pay the same and all damages & costs as shall be awarded. We also command you that you give notice to the said Richard W Arnold admr of Isaac M Arnold dec'd and in his own right, John W Arnold, Wm G. Arnold & Herbert Adkins an infant by Wm D. Adkins his guardian ad litem, that they be before the Judge of our said Circuit Court at the Courthouse on the first day of the next term thereof, then and there to have a rehearing of the whole matter in the decree aforesaid contained. And have then there this Writ

Witness Orrin White clerk of our said Court at the Courthouse this 16 day of October 1871, in the 96 year of the Commonwealth.

O White cc

Arnold Pf
vs
Sicfias
Arnold Pf
1871 November Civil Ct

Executed on John W. Arnold by delivering him a true
Copy of the within October 23. 1871

Thomas A. Dudley D Sgt
for M. M. Lee, Sgt City Richmond

The Commonwealth of Virginia

To the Sergeant of the City of Richmond: Greeting.
We command you that from all further proceedings on a decree of the County Court of Southampton County rendered on the 22d day of August 1871 in a certain Suit in Chancery between Missouri Arnold, widow, Margaret A Arnold Estelle Arnold, Lozzie R Arnold & Isaac Joseph Arnold, the four last being infants suing by the said Missouri Arnold their next friend plaintiffs and Richard W Arnold admr. of Isaac M Arnold decd and in his own right, John W Arnold, Wm G Arnold & Herbert Adkins an infant by Wm L. Adkins his Guardian ad litem Defendants whereby it was adjudged, ordered and decreed that the plaintiffs take nothing by their bill but that the same be dismissed and that the Defendants recover of the plaintiffs their costs expended in the cause you altogether supersede, which decree before our Circuit Court of Southampton County for cause of error in the same to be Corrected, on the petition of the said Missouri Arnold, Margaret A Arnold, Estelle Arnold, Lozzie R Arnold & Isaac Joseph Arnold, the last four being infants by Missouri Arnold their next friend, we have caused to come, they having given Security to prosecute with effect, and if the decree aforesaid shall be affirmed to pay the same and all damages and Costs as shall be awarded: We also command you that you give notice to the said Richard W Arnold admr. of Isaac M Arnold decd and in his own right, John W Arnold, Wm G Arnold Herbert Adkins an infant by Wm L. Adkins his guardian ad litem, that they be before the judge of our said Circuit Court at the Courthouse on the first day of the next term thereof, then and there to have a rehearing of the whole matter in the decree aforesaid contained. And have then there this writ. Witness Orrin White clerk of our said Court at the Courthouse this 16th day of October 1871 in the 96th year of the Commonwealth.

O. White cc

Sewall
vs 3 Deeds
Amos Ds Admr &c
To be entered
J W Wingard
Judge

Accounts Term 1871

Gwathney

vs

Dean

Arnold's adv'rs

This day this cause came on again to be heard ~~on appeal to be heard~~ on the papers formerly read the answer of Nipsonia A Arnold and general replication thereto and the report of commissioner Tyler to which no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that the said report be confirmed and the court being of the opinion that the widow Nipsonia A Arnold is not entitled to the benefit of the homestead laws in her husband's Isaac M Arnolds estate as against the debts which have been proved against the estate and reported in Commissioner Tyler's account and it appearing further from the said report that the rents and profits of the real estate will pay off all the debts within five years the court doth further adjudge order and decree that Wm N Lebrell, Wm Urquhart and James E Lebrell who are appointed commissioners for that purpose who shall after having given reasonable notice to all the parties interested proceed to allot to Nipsonia A Arnold down

in the real estate whereof Isaac Newsum died seized and possessed it being one third in value having regard to quality and quantity and report their proceedings to court in order to a further decree, And the court doth further adjudge order and decree that Wm H. Briggs sheriff of Southampton shall after down has been allotted sent out all the land whereof I. M. Arnold died seized and possessed annually and after paying the costs of this suit including a fee of fifty dollars to Wm B Shands the plaintiffs counsel pay the money arising from the said rents pro rata among the creditors who have proved their debts until the same shall have been paid except the judgement of James Denony for $246.84 cts which being a judgment obtained in the lifetime of I. M. Arnold is a preferred debt and is to be paid first and in full and the said Sheriff is to report his proceedings under this decree annually to the court until all the debts shall have been paid

Gwaltney &c
v
Arnolds ad. } Com. Notice

Executed
w. w. Briggs Sheff

Southampton County Court, June term 1872

Wm. H. Gwaltney who sues for himself and also other Creditors of Isaac M. Arnold decd. Plffs. } In chancery
against
Richard W. Arnold in his own right and as Admr. of Isaac M. Arnold decd. Mipomi Arnold. John Arnold, W. G. Arnold. Margarit A. Arnold, Estelle Arnold, C. R. Arnold. Isaac J. Arnold and Herbert Atkins the last five infants Defts.

This day this Cause came on again to be heard on the papers formerly read and the Report of William Urquhart, James C. Sebrell and W. A. Sebrell, Commissioners appointed to allot dower to M. A. Arnold, widow of I. M. Arnold decd. pursuant to a Decree entered at the December Term A. D. 1871. and to which report no exceptions have been filed, and the petition of A. G. English and others asking that they be allowed to prove debts against the Estate of I. M. Arnold and was agreed by Counsel; on Consideration whereof the Court doth adjudge, Order and decree that the Report of William Urquhart, W. A. Sebrell & James C. Sebrell, Commissioners as aforesaid, be Confirmed, and the Court doth further adjudge, Order and decree that One of the Commissioners of this Court, take a further account of the debts outstanding against the Estate of Isaac M. Arnold decd, And doth further adjudge, Order and decree that the said Commissioners inquire into and Report to Court what is the actual and annual value of the Lands of I. M. Arnold after the allotment of dower to his widow M. A. Arnold, And also what is the actual value of the said I. M. Arnold's Land subject to the said widow Dower and report the said account to this Court, together with any Matter Specially Stated, deemed pertinent by himself or required by any party interested to be so Stated.

A Copy Teste

James A. Tyler D.C.

COMMISSIONER'S OFFICE,

Jerusalem June 28th 1872

To Wm A. Gwaltney who sues for himself and also other Creditors of Isaac M. Arnold dec'd Pltff.

against

Richard H. Arnold in his own right and as adm'r of Isaac M Arnold dec'd Missouri Arnold John Arnold W. G. Arnold. Margaret A. Arnold. Estelle Arnold & R. Arnold. Isaac J Arnold and Herbert Atkins the last nine infants

Defts

You are hereby notified that I have fixed upon the ~~14th~~ 19th day of July next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: That one of the Commissioners of this Court take a further account of the debts outstanding against the Est. of Isaac M. Arnold dec'd and doth further order and decree that the said Commissioner enquire into and report to Court what is the actual and annual value of the Lands of I M Arnold after the allotment of dower to his widow M. A Arnold. And also what the actual value of the said I M Arnolds Land subject to the said widows Dower and report the same accordingly to Court

required to be taken by a decree of Southampton ~~Circuit~~ County Court, rendered on the June ~~day~~ of Term 1872, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

To the Sheriff of Southampton County to execute.

Jas R Tyler *Commissioner.*

Quattrini &c
v
Arnolds ad. } Com. Nolice

Executed
v. d. Briggstaff

A further account of the outstanding debts against Isaac M. Arnold dec'd

To	James E Sebrell & Barham a/c	50 34			
	Int. to 1st October 1872	2 26			
				52	60
"	W. T. Sebrell & Barham a/c	10 26			
	Int. from 1 Jany 1870 to 1 Oct 1872	1 70			
				11	96
"	Wm N Sebrell a/c	50 05			
	Int. from 1st Jany 1870 to 1 Oct 72	8 25			
				58	30
To	Richmond Whig. (adv. & Land)	13 50			
	Int. from 1st Nov 1866 to 1 Oct 1872	4 80			
				18	30
"	Nat T. English a/c	17 25			
	Int. from 1st Jany 1869 to 1 Oct 1872	3 88			
				21	13
"	Nat T. English a/c	17 35			
	Int from 1 Jany 1870 to 1 Oct 1872	2 86			
				20	71
"	Nat T. English a/c	4 80			
	Int fm 1 Jany 1871 to 1 Oct 1872	47			
				4	97
	Total		$	187	49

Respectfully Submitted
James R Tyler

An account of the Actual and annual Value of Land belonging to I. M. Arnold dec'd.

	Actual Value	Annual Value
One Tract of Land in Sr. amptn Co	$1800 00	$150 00
One Tract of Land in Sr. amptn Co subject to widows Dower	1200 —	—

Respectfully submitted
James K. Ivy Jas
Com.

Commissioners Office

Jerusalem Sept 5th 1872

To the County Court of Southampton County

Pursuant to a decree of the County Court of Southampton County rendered at the June Term 1872, in a suit in Chancery depending in said court between Wm H. Gwaltney and Richard N. Arnold & others, the undersigned one of the commissioners of the said court to whom was referred to for settlement by said decree the following accounts & wit.

That one of the commissioners of this court take & state an account of the debts outstanding against the Est. of Isaac M. Arnold dec'd and doth further order and decree that the said commissioner enquire into and report to court what is the actual and annual Value of the Land of I M. Arnold after the allotment of dower to his widow M. A Arnold And also what the actual Value of the said I M. Arnolds Land subject to the said widows dower and report said accts & court reports to the court that on the 28th day of June last he issued notices against the several parties afors.d requiring them to attend the settlement of the said accounts before him at his Sr. office on the 19th day of July, which were returned to your commissioners duly executed. That the parties aforesaid appeared before the commissioner (by atty) in obedience to said notices, and he thereupon examined the Claims stated and settled the foregoing accounts upto the 1st day of October ~~1871~~ 1872 and on that day finds the amount of debts to be $187.47 cts including interest

The commissioner also made up and account of the Value of the real Est. of said I M. Arnold dec'd with and without the widows dower.

The

Commissioner further reports to the court that after the completion of the sd account he retained the same in his office ten days for the examination of the parties, which with the dates and notices as herewith returned.

Given Under my hand as com: aforesaid the day and year first aforesaid

James R. Tyler

Com: for $10.00

Guardianship
vs
Com Tyler Rep.
Annolds
8mo

1872 Sep 10.

Arnold &
Arnold &

order for
supersedeas

1871 October 16

Arnold &c
vs
Arnold adm &c

On application for a supersedeas to a decree of the County Court of Southampton

The supersedeas prayed for is granted, according to the prayer of the petition, & ordered that the same issue accordingly — Bond required according to law in penalty of one hundred dollars.
Oct. 13th 1871

Geo. Blow

To the Clerk of
the Circuit Court for
County of Southampton.

115

Swatling v arnold
&
arnold v arnold

1874
Same Cir. Ct
Decree Dec 19 th
To be entered,
Geo. Stowell.

Swaithney v. arnold &c.

&

arnold v arnold

Here causes came on this day to be heard on the papers formerly read on the Report of sale of W.W. Briggs made pursuant to the Decree of this Court of May Term 1873, made herein, to which report there is no exception, and was argued by Counsel: On consideration whereof the Court doth confirm the said Report and doth adjudge, order decreed that the said W.W. Briggs pay the sum of $100.24 which appears to be in his hands by his said Report, to James Drury in part of his judgment docketed in the life time of said Isaac M. arnold, for $246.84, as appears by Com Tylers Report of 24 July 1871. Make report to Court

25

Arnold v Arnold &

&

Swalley v Arnold &c

1873

May Cir. Ct

decree to

be entered.

Geo: Blow.

Arnold v. Arnold

and

Gwaltney v. Arnold

These causes came on to be heard together, and were argued by Counsel.

On consideration whereof the Court doth decide that there is error in the Decree of the County Court of Southampton, made on the Day of in the first above named cause, and also error in the Decree of the said County Court of the Day of made in the second above named cause, in deciding that the said Missouri A. Arnold is not entitled to the benefit of the Homestead Law in the estate of her late husband Isaac M. Arnold dec'd. and this Court now proceeding to render such Decree as ought to have been rendered by said County Court, doth adjudge order and decree, that ~~Wm Urquhart, Jas. E. Scherer, Wm H. Scherer & W. W. Cobb, (any three of them may act,~~ proceed to ~~set apart and assign to said Missouri~~ A. Arnold one third in value of the land of said Isaac Arnold dec'd. as dower therein, and make report to Court. ~~And that the said Commissioners, (or any three of them~~ The Report of Wm Urquhart, Wm H. Scherer & Jas. E. Scherer, assigning dower to

said Mispah a. Arnold in the lands of her late husband be confirmed; and that the report of Com Tyler, ~~of the~~ made under the Decree of June term 1872 of said County Court be confirmed;

and the Court doth further adjudge order and decree that Com Urquhart, Com A. Schell, Jas. E. Scheer Sr. W. Cobb pro three of whom may act, proceed to set apart and assign to said Mispah a. Arnold, for herself & the infant children of said Isaac M. Arnold dec'd. Six thousand Dollars in value of real, personal or other estate of said deceased (to be selected by her if so much there be) as & for a Homestead & Constitutional exemption in said estate to be held by them according to law:

and the Court doth further adjudge order and decree that W. W. Briggs, Sheriff of said County, proceed to sell ~~said~~ ~~part~~ ~~of the~~ the lands whereof the said Isaac M. Arnold died seized & possessed (subject to the Dower therein as laid off aforesaid) before the Court house door of Southampton County on some Court day, after giving thirty days notice by advertisement at the Court house door of said County & at least six other public places in said County, on a credit of one, two and

three years, taking Bond & good security from the purchaser, carrying interest from date & retain the title to said Land, till the further order of Court — in making which sale enough cash may be received to pay costs of Suit and expenses of sale (the costs to include all costs of all parties, including an attorneys fee of $30 each to W. B. Hand and John R. Kelly & B. Jones, attorneys in the said cases and make report to Court.

Rec'd of W. W. Briggs Commissioner in the Chancery suit of Gwaltney vs Arnold $20 the sum of Twenty dollars in full of my fees as Commissioner in Chancery

March 28th 1874.

James R Tyler

Received of W W Briggs Sheff & Com. in Chancery suit of Gwaltney v. Arnolds adr &c thirty one 9/100 Dollars Clerks Costs to May Cir. Court 1873 included.

L R. Edwards

1

Recd Mch 29. 1874 of J.W.D Briggs, Comrs.
in chy Suit of Goulding vs Arnold Adams
Ct -et- al- of Co Compton, fifty-dollars- in full
of fee directed to be paid by them in
said suit.

J.W. Prince

March 27 1874 Received from Wm
W Briggs chief ~~and~~ commissioner
in the chancery cause of Gwaltney
vs Arnolds admrs also the sum of
fifty dollars (50) directed to be
paid me by the court in that
case.

Wm B Shands
attorny at Law

1874 apl 21. Rec'd of W. W. Briggs Com'r. the
sum of Fifty dollars fee in case
about Arnold's estate, as per decree
John R. Kelly atty.

77

Arnold de

vs Report of Case

Arnold

June A. 1874

Confirmed

in June 1874

In Obedience to a Decree of the Circuit Court of Southampton County, in the Chancery Suit of Mifsouri A Arnold against R W Arnold admr of Isaac N Arnold dec'd & others & Mifsouri A Arnold against W H Cowalney, rendered at May Term 1893 I Advertised the Lands of Isaac N Arnold dec'd according to the direction of said decree there being about Seven Hundred Acres, and exposed the same at public Auction to the highest bidder in the Town of Jerusalem on the 3rd Monday in October 1893, and at the said Sale Mifsouri A Arnold became the Purchaser by bidding therefor the Sum of Twelve Hundred & Eighty two dollars, and the said Mifsouri A Arnold failed to Comply with the Terms of Sale; And I Advertised the said Land and exposed the same at public Auction according to the direction of said decree on the 3rd Monday in January 1894, and at the said exposure of Sale Peter Ferguson became the Purchaser by bidding therefor the Sum of One thousand & five dollars, and the said Peter Ferguson failed to Comply with the Terms of Sale; And I advertised the said Land, and exposed the same at public Auction according to the direction of said decree on the 3rd Monday in February 1894; and the said exposure of Sale Charles W Nicholson became the Purchaser by bidding therefor the Sum of Six Hundred & Seventy dollars; and the said Charles W Nicholson paid in Cash Three Hundred & fifty dollars, and executed his bonds payable one, two & three years after date, carrying interest from date for $106.66 2/3 each, which bonds are herewith returned; Out of the Cash payment of $350.00 I paid Costs of suit as follows; Clerk of Court $31.01

Shff of Southampton $11.00 Cond: Tyler $20.00 Dr R Kelly
Wm B Shands & L B Prince fifty dollars each; for
Printing advertisements $3.00 Auctioner $10.00
My Commission for Selling land $32.40 = Making
in all $246.41 leaving a balance in My hands in
Cash of $103.59 A Tax of 1/2 Per cent is
due the State which is $3.35 = which
leaves a balance of $100.24

Respectfully Submitted

W W Briggs Shff &
Comr.

Rec'd Nov. 18th 1876 of the Clerk of the Circuit
Court Two bonds against C W Nicholson for
$106 66 each filed in this suit

W W Briggs

Rec'd Nov. 4th/82 of the Clerk of the Circuit
Court one bond against C W Nicholson for
$106.66 2/3 dated Feb. 16. 1874

W W Briggs Com'r

74

Arnold

v } Copy Decree

Arnolds adm &c

&

Arnold

v } Copy Decree

Gwaltney

290
210
54

60
290
316

Southampton Circuit Court, May term 1873.

Missouri A. Arnold — Plaintiff

against

Richard W. Arnold admr. of Isaac M. Arnold dec'd. & in his own right John W. Arnold W. G. Arnold, Mary A. Arnold, Estella Arnold Soggie Arnold J. P. Arnold & Herbert Adkins — Defendants

Upon a writ of Supersedeas from a Decree of the County Court of Southampton Co. rendered the 22nd day of August 1871.

Missouri A. Arnold — Plaintiff

against

William H. Gwaltney — Defendant

Upon a writ of Supersedeas from the decree of the County Court of Southampton County rendered the 20th day of November 1871.

These causes came on to be heard together, and were argued by Counsel; On Consideration whereof the Court doth adjudge, order and decree, that there is error in the Decree of the County Court of Southampton, made on the day of in the first above named Cause, and also error in the decree of the said County Court of the day of made in the Second above named Cause, in deciding that the said Missouri A. Arnold is not entitled to the benefit of the Homestead law, in the Estate of her late husband Isaac M. Arnold dec'd and this Court now proceeding to render such decree as ought to have been rendered by said County Court, doth adjudge, order and decree, that the Report of Wm. Urquhart, Wm. N. Sebrell & James E. Sebrell assigning dower to said Missouri A. Arnold in the Lands of her late husband be confirmed. And the Court doth further adjudge, order and decree, that Wm. Urquhart, Wm. N. Sebrell James E. Sebrell & W. H. Cobb, any three of whom may act, proceed to set apart & assign to said Missouri A. Arnold for herself and the Infant children of Isaac M. Arnold dec'd Ten thousand dollars in Value of real, personal or other Estate of said deceased to be

And that the report of Commissioners Ogden made under the decree of June Term 1872 of said County Court be confirmed.

selected by her (if so much there be) for and for a Homestead and constitutional exemption in said Estate to be held by them according to law. And the Court doth further adjudge, order and decree, that W. W. Briggs Sheriff of said County proceed to sell the lands whereof the said Isaac M. Arnold died seized & possessed, (subject to the dower therein as laid off aforesaid,) before the Courthouse door of Southampton County on some Court day, after giving thirty days notice by advertisement at the Court-house door of said County - and at least six other public places in said County, on a credit of one two and three years, taking bond and good security from the purchaser carrying interest from date and retain the title to said Land till the further order of Court, in making which sale wright cash may be received to pay costs of suit and expenses of sale, the costs to include all costs of all parties including and attorneys Fee of Fifty dollars each to Wm B. Shands, Jos. B. Prince & John R. Kilby Attorneys in the said Cases, and make report to Court. &c

A Copy

Teste S. R. Edwards Clk

Peff.
Costs of 1st Case
Clk $20.36
Shff 3.50
Law Fee 16.00
18.00
$57.86

Br Attneys Costs
Clk $31.87
Sh 7.50
Com T. 20.00
Law 33.00
IR 2.36
$104.73

I do certify, that in my opinion it is proper that the decision referred to in the within case & annexed petition should be reversed by the Circuit Court of Southampton County, Virginia.

John R. Kelly
attorney of said Court.
Sep. 2d. 1871

Arnold
v.
Arnolds adm'r

Copy Record

1873 May Decree d.

Pleas before the County Court of Southampton County at the Courthouse thereof on the 22d day of August 1871.

Be it remembered, that heretofore, to wit, on the 15th day of November 1870. came Missouri A Arnold by Counsel and sued out of the Clerks Office of the said Court a Summons in Chancery against Richard W Arnold admor. of Isaac M Arnold decd & in his own right Jno. W Arnold, Wm Gray Arnold & Mary A Arnold Estelle Arnold, Lizzie Arnold, J P. Arnold & Herbert Adkins which with the return thereon is as follows.

"The Commonwealth of Virginia, To the Sheriff of Southampton County Greeting; We command you to Summon Richard W Arnold admor. of Isaac M Arnold decd and in his own right, Jno. W. Arnold, Wm Gray Arnold & Mary A. Arnold Estelle Arnold, Lizzie Arnold, J P Arnold & Herbert Adkins (last 5 infants) if they be found within your bailiwick to appear at the Clerks Office of our County Court of Southampton County at the Rules to be holden for the said Court on the first Monday in January next to answer a bill in Chancery exhibited against them in our said Court by Missouri A Arnold and have then there this Writ.

Witness Oswin White Clerk of our said Court at the Courthouse this 15th day of November A.D 1870, in the 95th year of the Commonwealth.

O White Cc"

Return. "G W Vick personally appeared before me Jas R Tyler a Commissioner in Chancery and made oath that he did deliver December 19th 1870 to R W Arnold Wm G Arnold a true copy of the within Summons. Jno. W. Arnold not a resident of this County. James R Tyler Com."

And at Rules held in the Clerks Office aforesaid on the second day of January (being the first monday in the month) 1871. came Missouri Arnold (widow) and Margaret A. Arnold, Lizzie R Arnold, Estelle Arnold & Isaac Joseph Arnold, the last four being infants suing by said Missouri Arnold their next friend, by Counsel and filed their bill in Chancery against Richard W Arnold as admor. of Isaac M Arnold decd and in his own right John W Arnold, Wm G Arnold & Herbert Adkins (the last an infant) which is in these words.

Bill } "To the Hon. Jos. W. Urquhart, Judge of the County Court of Southampton County, Virginia.

Complaining shew unto the Court your Complainant, Missouri Arnold (widow), and Margaret A. Arnold, Estelle Arnold, Lizzie R. Arnold &

Isaac Joseph Arnold, the last four being infants suing by said Missouri Arnold their next friend.

Your Complainants respectfully say that the Revd. Isaac Arnold died on the ___ day of June 1870, in Southampton County, Virginia, intestate, leaving as his heirs at law and distributees, his widow, Missouri A Arnold and the following children. John Arnold, Wm Gray Arnold, Richard W Arnold, Margaret A Arnold, Estelle Arnold, Elizabeth A Arnold & Isaac Joseph Arnold, and one grand child Herbert Adkins, child of Missouri, a daughter of said deceased & who herself, is also dead the last five being infants. That Richard W Arnold duly qualified as the admor. of said Revd Isaac Arnold, in Southampton County Court on the 17th day of October 1870, as will be seen by a copy of the order of Court filed herewith & marked "A". That the said Isaac Arnold died possessed of a tract of land in said County containing ___ acres more or less, and adjoining the lands of Benj Applewhite, Henry W Butts and the Assamuspack Swamp, and also a considerable personal estate and chattel estate.

Your Complainants say that the said Missouri A Arnold, widow as aforesaid is entitled to Dower in said lands, & She prays that the same may be assigned to her. That she and the minor children of said deceased are entitled to the personal property which by law is exempt from levy or distress in case of a parent or head of a family, and that she and said minor children are also entitled to a Homestead of two thousand dollars in any of said estate she may choose, whether real or personal - all of which she and they pray may be duly set apart and assigned to them. Your Complainants are advised that they are entitled to all such assignments of the property above referred to, whether the estate of said Isaac Arnold is insolvent or not.

In tender consideration whereof and as this Court has jurisdiction to grant all adequate relief. To the end your Complainants pray that Richd W Arnold as admor. of Isaac M Arnold decd and in his own right, John W. Arnold, Wm G. Arnold & Herbert Adkins (the last an infant) may be made defendants hereto and be required to answer the allegations herein, and that the prayer of your Complainants may be granted. And your Complainants as in duty bound &c.

John R Kelby p.q.

The following is exhibit "A" referred to in the foregoing bill

"Southampton County Court October 17th 1870

On the motion of R W Arnold who made oath as the law directs and entered into bond in the penalty of $2.000 Conditioned according to law with John Arnold his Security who justified on oath as to his sufficiency, and who waives the benefit of his homestead exemption as to said obligation; and which said bond being acknowledged by the obligors therein and having a Stamp of the Internal Revenue of the U.S. of the amount of one dollar affixed thereto and duly cancelled is ordered to be recorded. Certificate is granted the said R W Arnold for obtaining letters of administration on the estate of Isaac M Arnold decd in due form. It being sworn that the estate and effects for and in respect to which such letters of administration applied for exceeds the value of $1.000 but doesn't exceed the value of $2.000 Stamps of the internal Rev. of the U.S. to the value of $1.00 being affixed thereto and duly Cancelled.

A Copy. Teste, O White DC"

And on the motion of the plaintiffs by Counsel Wm L Adkins is assigned guardian ad litem to the infant defendant Herbert Adkins to defend him in this suit. Who thereupon filed his answer in the following Words to wit.

Ansr } The answer of William Herbert Adkins, an infant, by Wm L Adkins his guardian ad litem to a bill of Complaint filed against himself & others by Missouri A Arnold & others in the County Court of Southampton County.

This defendant saving & reserving all just ground of exception to said bill for answer thereto or unto so much thereof as he is advised it is material to answer, for answer thereto saith: That he is advised that there is no law authorizing this Court to grant to the widow and infant children of Rev. I W Arnold or any intestate the constitutional exemption of two thousand dollars as against heirs at law or distributees. Your respondent further says that he is advised that the law Commonly Known as the "Homestead law" contemplates this exemption to Widows and infants, only in cases where the estate of the decedent is pecuniarily involved, that is against creditors and he prays that nothing but the dower and the exemptions allowed to Widows under the "Poor laws" shall be allowed in this suit. And having answered he prays hence to be dismissed &c.

William L Adkins Guardian ad litem

To which answer the Complainants by Counsel replied generally. And the Summons in this case being returned executed on the defendants Richard W Arnold as admor of Isaac M Arnold decd and in his own right, & Wm G. Arnold and they not appearing it is ordered that the Complainants bill be taken for confessed as to them unless they appear and plead answer or demur thereto at the next Rules. And the Summons not having been executed

on the Defendant John W Arnold and he not appearing it is ordered that another Summons be issued against him to be directed to the Sergeant of the City of Richmond returnable here to February Rules next. Which Summons with the return thereon is in these words -

"The Commonwealth of Virginia: To the Sergeant of the City of Richmond Greeting. We command you to Summon John W Arnold if he be found within your bailiwick, to appear at the Clerks Office of our County Court of Southampton County at the Rules to be holden for the said Court on the first Monday in February next, to answer a bill in Chancery exhibited against himself and others in our said Court by Missouri Arnold & others and have then there this writ. Witness Oswin White Clerk of our said Court at the Courthouse this 2d day of January A D 1871. in the 95th year of the Commonwealth.

O. White Clk"

Return - "Not found. dont know any such person in my bailiwick.

Thomas M Dudley D Sergt. for M M. Lee Sgt. of Richmond"

And at another day, to wit At Rules held in the Clerks Office aforesaid on the Sixth day of February 1871 (being the first monday in the month) came the Complainants by Counsel and the defendants Richard W Arnold as admr. of Isaac M Arnold dec'd and in his own right and Wm G. Arnold continuing in default, it is ordered that the Complainants bill be taken for confessed as to them. And the Summons awarded at the last Rules against the Defendant John W Arnold not having been executed, another Summons is awarded against the said Defendant returnable here to March Rules next. and which with the return thereon is in these words, to wit -

"The Commonwealth of Virginia. To the Sergeant of the City of Richmond. Greeting: We command you to Summon John W Arnold if he be found within your bailiwick, to appear at the Clerks Office of our County Court of Southampton County, at the Rules to be holden for the said Court on the first Monday in March next to answer a bill in Chancery exhibited against himself and others in our said Court by Missouri Arnold & others. and have then there this Writ. Witness Oswin White Clerk of our said Court at the Courthouse this 6th day of February A D 1871 in the 95 year of the Commonwealth. O. White Clk

Return - "Came to hand March 11th 1871. too late to execute.

Thomas M Dudley D Sgt. for M M Lee. Sgt. Richmond"

And at another day to wit At Rules held in the Clerks Office aforesaid on the 6th day of March (being the first Monday in the month) 1871, came the Complainants by Counsel and on their motion this cause is set for hearing as to the Defendants Richard W Arnold as admr. of Isaac M Arnold dec'd and in his right & Wm G Arnold and the infant defendant. And the Summons awarded at the last Rules against the Defendant John W Arnold not having been executed another Summons is awarded against him returnable to the next Rules - and which with the return thereon is in these words to wit,

"The Commonwealth of Virginia: To the Sergeant of the City of Richmond: Greeting. We command you to Summon John W Arnold if he be found within your bailiwick to appear at the Clerks Office of our County Court of Southampton County at the Rules to be holden for the said Court on the first Monday in April next to answer a bill in Chancery exhibited against himself and others in our said Court by Missouri Arnold & others. And have then there this Writ. Witness Oswin White Clerk of our said Court at the Courthouse this 6th day of March A D 1871, in the 95 year of the Commonwealth.

O. White Clk

Return - "Executed March 16th 1871. by delivering a true copy of the within Summons in Chancery to John W Arnold. Thomas M Dudley D. Sgt for M. M. Lee Sgt. Richmond."

And at Rules held in the Clerks Office on the 3d day of April (being the first monday in the month) 1871. came the Complainants by Counsel and the summons awarded against the Defendant John W Arnold having been executed, and he not appearing on the motion of the Complainants it is ordered that their bill be taken for confessed as to him unless he appears and pleads, answers or demurs to the said bill at the next Rules

And at another day, to wit. At Rules held in the Clerks Office aforesaid on the 1st day of May (being the first Monday in the month) 1871 the defendant John W Arnold continuing in default it is ordered that the Complainants bill be taken for confessed as to him.

And at another day to wit At Rules held in the Clerks Office aforesaid on the 5th day of June (being the first monday in the month) 1871. On the motion the Complainants by Counsel this cause is set for hearing as to the Defendant John W Arnold.

And now at this day, to wit, At a County Court for the County aforesaid held at

the Courthouse thereof on the day and year first aforesaid to wit on the 22d day of August 1871. This cause came on this day, to be heard on the Bill of the Complainants taken for confessed at rules as to the adult Defendants on whom process had been issued and they still failing to appear and make defence and on the answer of the infant defendant by his guardian ad litem and on replication to said answer and on exhibit filed with the bill and was argued by Counsel. On consideration whereof the Court doth decide that the plaintiffs who are the widow and minor children of Rev. Isaac Arnold deceased are not entitled to the Homestead and Constitution exemption as prayed for in said bill as against the heirs and distributees of said Isaac Arnold dec'd does adjudge order and decree that the plaintiffs take nothing by their bill but the same be dismissed and that the defendants recover of the plaintiff their costs expended in this cause.

Plaintiffs Cost $28.23

Defendants "

A transcript of the Record

Teste. Owen White Clk

Clerks fee for this transcript of the Record $2.38

O. White Clk

I do certify, that in my opinion it is proper that the decision referred to in the within case & annexed petition should be reversed by the Circuit Court of Southampton County, Virginia.

John R. Kelly
attorney of said Court.
Sep. 2d. 1871

Arnold
vs
Arnolds adm'r

Copy Record

1873 May Decree. &c

Swalling

vs 3 Decm

Amos Os Admrs

Jo Fe entered

J. M. Wagenhart

Judge

June 17th 1872

Gwaltney
vs
Arnold's Adm

This day this cause came on again to be heard on the papers formerly read and the report of Wm Urquhart, Jas E Sebrell & Wm H Sebrell Commissioners appointed to allot dower to M. A Arnold widow of Dr. Arnold dec'd, pursuant to a decree entered at the December Term AD 1871, and to which report no exceptions have been filed and the petition of N. J. English & others asking that they be allowed to prove debts against the Estate of Dr. Arnold and was argued by Counsel. On consideration whereof the Court doth adjudge order & decree that the report of Wm Urquhart, Wm H Sebrell & Jas E Sebrell Commissioners as aforesaid be confirmed & the Court doth further adjudge order & decree that One of the Commissioners of this Court take a further account of the debts outstanding against the Estate of Dr. M. Arnold dec'd And the Court doth further adjudge order & decree that the said Commissioner inquire into and report to Court what is the actual annual value of the lands of Dr. M. Arnold after the allotment of Dower to his widow M. A. Arnold And also what is the actual value of the said Dr M Arnold's land subject to the said widows Dower, and report the said accounts to this Court together with any matter specially stated deemed pertinent by himself or required by any party interested to be so stated

Granting
as 3 Decm
Arnold Admr ats
To be entered
J. W. Wrightsart Judge
May Term 1831

Gwathmy
vs
Arnolds' admrs &c

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to the defendants Richard W Arnold Whitehead Arnold and Wm Gray Arnold the answer of John W Arnold and the five infant defendants Margaret A Arnold, Estelle Arnold, Elizabeth R Arnold Isaac F Arnold and Herbert Adkins by L R Edmonds their guardian ad litem general replication thereto and exhibits filed and was argued by counsel On consideration whereof the court doth adjudge order and decree, That one of the commissioners of this court take the following accounts 1st An account of Richard W Arnold transactions as administrator of Isaac M Arnold dec'd 2nd an account of the debts outstanding against the estate of Isaac M Arnold stating their dignity and priorities also the fact if true by any judgment obtained against the said Isaac M Arnold in his lifetime and decedents and if so their priorities 3rd an account of the actual and annual value of all the land whereof the said Isaac M Arnold died seized and possessed and report the said accounts together with any matters specially stated deemed pertinent by himself or which any of the parties interested to be so stated

Givathney
vs 3 Decree
Arnolds' admrs

This day this cause
came on again to be
heard on the
papers formerly read and the report of
W. W. Briggs Comm'r made pursuant
to a decree of the Circuit Court
entered at the May Term 1873 and
to which no exceptions have been
filed and was argued by counsel
on consideration whereof the court
doth adjudge, order, and decree, that
the said report be confirmed and
that Wm H Briggs withdraw from
the papers in this cause executing
his receipt for the same the two
bonds for $104.66 2/3 each one due
the 15th February 1875 one due 15th Febry
1876 and another bond for $104.66 2/3 ea
due 15th February 1877 when it shall
be due and collect the same
and pay first to William W Briggs
assignee of James Dorsey a judgment
of $246.84 cts with interest thereon
from the 1st of August 1871 and
the balance of the bonds after
being collected pay pro rata among
the other creditors who have
proved their debts by the Commissioners
reports of July 1871 and September 1872
they all being debts of the fourth
class, And the said W. W. Briggs
is directed on payment of the

said bonds to make the purchaser a deed with special warranty and report his proceedings to court along with receipts in order to a further decree

2 8 7 2 1/2

Guardian's

vs 3 Decree

Amos Adams

Recd June 1876

Filed entered

Geo. H. Sloan

For and in Consideration of the sum of Two Hundred & Twenty eight Dollars paid to me by C W Briggs I hereby assign and transfer to the said C W Briggs, all my right title and interest in a judgment obtained by me in the Circuit Court of Southampton County against W B Adkins & J M Arnold for Six Hundred dollars with interest from the 19th December 1860 till paid, Subject to a credit of $532.00 paid March 1863

James Drury

To the Circuit Court of Southampton County, Va.

In pursuance of the decrees of said Court pronounced respectively at the June Term in the year 1874 and the May Term in the year 1876 of said Court in the causes in Chancery in said Court depending between W. H. Gwaltney Plaintiff and Isaac M. Arnold's Admr. and others Defendants and between Arnold, Plaintiff against Arnold Defendant, the undersigned Wm. W. Briggs, Commissioner, respectfully reports to Court that having received of the Clerk of said Court the three Bonds of Chas. W. Nicholson which were filed in said causes with his report of the sale of the land of said Isaac M. Arnold (said Report having been confirmed in June 1874) said Bonds being each for the sum of $106.66 2/3 bearing interest from the 16th day of February 1874, he has collected the said Bonds and all interest due thereon and with the sum of $100.24 balance of the cash part of said sale in his hands as per the said Report of sale, he has paid to himself, as assignee of James Drewry the judgment in said amounting as of the first day of August 1871 to the sum of $246.84 reported in said cause as a lien on said land and then distributed the balance of said Bonds and cash pro rata to and among the other creditors (all of the fourth class) whose claims had been proved and allowed in said

causes as set forth in the Refots of Comr. Tyler filed in said Causes in July 1871 and September 1872 respectively, after having retained a sufficient part of the money to pay all unpaid costs of said causes, as will appear by the following statement and the receipts hereto attached;

Statement

1874 Feby. 16	By Cash part of said sale in the hands of the Comr. as per said Refot of sale			$ 100 24
1874 Feby. 16	To paid Wm. W. Briggs assignee of Jas. Dewey in part of said judgment per receipt		$ 100 24	
1877 May 22	By Amount of two of said Chas. W. Nicholson's Bonds each for the sum of $106.66 2/3 = $213.33 1/3			
	" Int. on $213.33 1/3 from 16 Feby 1874 to 22 May 1877 3y. 3m. 6 ds. =	40.90 2/3 =		254 24
1882 Nov. 7	" Int. on $254.24 from 22 May 1877 to 7 Nov 1882			81 99
	" Amount of the third and last of said Chas. W. Nicholson's Bonds			106 66
	" Interest on $106.66 from 16 Feby 1874 to 7 Nov. 1882			49 91
	To Amount retained to pay unpaid costs of said Causes		16 77	
	" paid W. W. Briggs assignee of said Jas. Dewey the balance in full of said judgment, per rect		280 68	
			397 09	$ 593 04

Statement of the Judgment of James Drewry against Isaac M. Arnold as reported by Comr. Tyler in his Report filed 28 July 1871 in the Chancery suit of Wm. H. Swaltney, Plaintiff against the said Arnold's Admr &c.

Amount of judgment	$600 00
Int. from 19 Dec 1860 to 14 March 1863	80 50
	680 50
Paid 14 March 1863	523 00
	157 50
Int. from 14 Mar. 1863 to 1 August 1871	79 19
	236 69
Costs	10 15
Total due 1 Aug. 1871	246 84
Int. on $157.50 from 1 Aug. 1871 to 16 Feby 1874: 2y. 6m. 15ds	37 64
	284 48
Paid by W. W. Briggs. Comr. 16 Feby 1874	100 24
	184 24
Int. on $184.24 from 16 Feby 1874 to 7 Nov. 1882 - 8y. 8m. 21 ds.	96 44
	280 68
Paid in full by W. W. Briggs Comr. 7 Nov 1882	280 68

	Amounts brought on		$ 397	09	$ 593	04
	To Amount to Balance		195	95		
1882			$ 593	04	$ 593	04
Nov. 7	By Balance brought on				$ 195	95
	To paid the following creditors of said Isaac M. Arnold 28 per cent of their claims proved and allowed in said causes as follows, per their receipts, to wit:					
	To R. F. Barham 28 per cent of	$ 106.09	$ 29	70		
✓	" J. R. Kells " " of	6.06	1	70		
✓	" Saml. Kells " " of	11.79	3	30		
	" H. F. Barham " " of	136.85	38	32		
✓	" W. H. Nicholson " " of	9.41	2	63		
✓	" C. W. Nicholson " " of	153.04	42	85		
✓	" Same " " of	21.02	5	89		
✓	" Same " " of	16.14	4	52		
✓	" Same " " of	10.56	2	96		
✓	" W. H. Gwaltney " " of	41 40	11	59		
✓	" Jas. E. Sebree & Barham " of	52.60	14	73		
✓	" W. N. Sebree & Barham " of	11 96	3	35		
✓	" W. N. Sebree " of	58.30	16	32		
✓	" Richmond Whig Co " of	18 30	5	12		
✓	" N. Y. English " of	21.13	5	92		
✓	" Same " of	20.21	5	66		
✓	" Same " of	4.97	1	39		
		$ 699.83	$ 195	95	$ 195	95

Your Commissioner further reports to Court that ~~he~~ as directed by said decree of the May Term of said Court in the year 1876 he has made a deed with Special Warranty in the usual form to Chas. W. Nicholson conveying to him the real estate purchased by him under proceedings

had in said causes.

The assignment by said James Drewry of his said judgment against said Isaac M. Amsed to said W. W. Briggs is hereto attached as well as a statement of said judgment

Respectfully submitted this 7th. day of November A. D. 1882

W. W. Briggs Esq

1882 Nov. 7th. Received of Wm. W. Briggs Coun. the respective sums of money charged in the above Report as paid to us respectively and set opposite our names as follows:

J. R. Kello by Wilbur J. Killy Atto.	$	1 70
Wilbur J. Killy Atto. for Saml. Kello		3 30
Wilbur J. Killy Atto for W. H. Swaltney		11 59
Wilbur J. Killy Atto. for Jas. E. Sebree & Barham		14 73
Wilbur J. Killy Atto. for W. T. Sebree & Barham		3 35
Wilbur J. Killy Atto. for W. T. Sebree		16 32
Wilbur J. Killy Atto. for Richmond Mfg Co		5 12
Wilbur J. Killy Atto. for N. Y. English		5 92
Wilbur J. Killy Atto. for N. Y. English		5 66
Wilbur J. Killy Atto for N. Y. English		1 39
W W Briggs		100 24
W W Briggs		280 68

Rec'd Sept 29th 1883 of W. W Briggs Com'r the amounts due each of us, as shown by the above report.

C W Nicholson per
Linsey & W. N. Nicholson

Gwaltney &c. vs. } In Chy

Arnold & al

and

Arnold &c. vs. } In Chy

Arnold &c.

Report of final collections and disbursements by W. W. Briggs, Comr.

7 Nov. 1882

Sarthney

To Sumner Ohio

Arrivals dom &

1871 March Rules

Richmond

Received too late to execute

Thomas M. Dudley D. Sgt.

for M. M. Lee, Sgt Richmond

I don't think this man can be found,
unless you can give more definite information.

T. M. D.

D S's

THE COMMONWEALTH OF VIRGINIA,

To the ~~Sheriff of Southampton County~~, Greeting:

We command you to summon John W Arnold

if he be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in March next to answer a bill in Chancery exhibited against himself & others in our said Court by Wm H Gwathmey who sues for himself & all other Creditors of J. W. Arnold dec. who will come in & bear their share of the costs of this suit

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 10 day of February A. D., 1871, in the 95 year of the Commonwealth.

O White CC

Executed March 16. 1871 by delivering a
true Copy of the within to John W. Arnold

Thomas A. Dudley D.Sgt
for M. M. Lee, Sgt Richmond

Richmond

Bradbury
Sims Chy
&
Arnolds adm &c
1871 April Rules

THE COMMONWEALTH OF VIRGINIA,

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Richmond, Greeting:

We command you to summon John W Arnold

if he be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in April next to answer a bill in Chancery exhibited against himself & others in our said Court by Wm H. Gwaltney who sues for himself and all their creditors of Isaac M Arnold dec'd who will come in and bear their share of the costs of this suit

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 6 day of March A. D., 187 1, in the 95 year of the Commonwealth.

O. White Clk

D

G W Vick appeared before me a Commissioner in Chancery and made oath that he did deliver to Mesprs Arnold a true copy of this summons July 24th 1871

Richd H Arnold & Wm G Arnold acknowledge legal service

James R Styles Commissioner

Gwathmey
vs
Sumrl. &c.
Arnolds admor
1871 March Rules

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you to summon Richard W Arnold both in his own right & as admr of J. W. Arnold dec'. Melpouie Arnold Wm. Gray Arnold

if they be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in March next to answer a bill in Chancery exhibited against themselves & others in our said Court by Wm H. Gwathmey who sues for himself and all other Creditors of J. W. Arnold dec' who will come in and bear their share of the costs of this suit

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 10 day of February A. D., 1871, in the 95 year of the Commonwealth.

O. White Clk

Arnold &c.

vs. Superseden
Bond.

Arnold &c.

KNOW ALL MEN BY THESE PRESENTS, That we

John R Kilby

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of

One hundred dollars, good and lawful money of Virginia, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this 16 day of October A. D. 1871 .

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that ~~if the above bound~~ whereas Missouri Arnold, Margaret A Arnold Estelle Arnold. Lizzie R Arnold & Isaac Joseph Arnold the four last infants suing by the said Missouri Arnold their next friend have obtained from the Judge of the Circuit Court of Southampton County a writ of Supersedeas to a decree of the County Court of Southampton County rendered on the 22 day of August 1871, in a suit in chancery therein pending in which the said Missouri Arnold & other were plaintiffs & Richard H Arnold admor. of Isaac M Arnold dc and in his own right & others Defendants. Now if the said Missouri Arnold & others plaintiffs as aforesaid shall prosecute the writ aforesaid with effect and if the decree aforesaid shall be affirmed do pay the same and all damages & Costs as shall be awarded against them

~~shall faithfully discharge the duties of his said office or trust according to law~~, then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

John R. Kilby [SEAL.]

[SEAL.]

[SEAL.]

[SEAL.]

When W. W. Briggs
Comr. shall have
obtained upon this
Report filed in this
Cause 7 Nov. 1882
the receipts of R. F.
Barham & H. T. Bar-
ham for the money
paid or due them
as per said Report,
then said Report
is to be confirmed
and this cause
removed from the
docket.

W. J. Kelly J. P.

6 Nov. 1884

Note for
Mr Kilby

There can be no
doubt in this case
about homestead
until the creditors
fees as mentioned
is disposed of the
Judge in that case
has already decided
against the claim
as to homestead

Thomas
for creditors

Estate of L M. Arnold dec'd

1871

Dr to Smith W & Greatsinger

Dec 31st To making Coffin &c $40.00

Settled

A.

Swaney
to } Exr: with bill
Arnolds acr ffs

At a Court held for the County of Southampton on the 17th day of October 1870

On the motion of R. W. Arnold who made oath as the law directs and entered into a bond in the penalty of $2.000 Conditioned according to law with John Arnold his security (who justified on oath as to his sufficiency and who waives the benefit of the homestead exemption as to this obligation; and which said bond being acknowledged by the obligors thereto and having a Stamps of the Int. Rev. of the U.S to the amount of One dollar affixed thereto and duly cancelled is ordered to be recorded. Certificate is granted the said R. W. Arnold for obtaining letters of administration on the estate of Isaac M Arnold dec'd in due form It being sworn that the estate and effects for and in respect to which said letters of administration applied for exceeds the value of $1.000 but does not exceed the value of $2.000 _ Stamps of the internal Rev. of the U.S. to the value of $1.00 being affixed hereto and duly cancelled.

A Copy

Teste, O White Clk

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you to summon Richard W Arnold in his own right & as admr of J. M. Arnold dec'd. Missouri Arnold & Wm Gray Arnold

if they be found within your bailiwick, to appear at the Clerk's Office of our County Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in March next to answer a bill in chancery exhibited against themselves & others in our said Court by Wm H. Gwathmey who sues for himself and all other creditors of J. M. Arnold dec'd who will come in and bear their share of the costs of this suit.

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 10 day of February A. D., 1871, in the 95 year of the Commonwealth.

O. White. CC

Vicksburg July 25th 1870

Dear Sir

Enclosed you
find a Summons for you, The Execution
& your Fathers Est in favour of Drury
is ordered to be made, The Exn was out
and issued before the death of your
Father but has been held and in the
Officers hands with the Levy endorsed
on it, I received positive orders last
Monday to make the money at once I
have advertised to have the sale on the
17th day of March, I hope some arrange-
ment will be made, Let me hear from
you at once Vicksburg P.O

Yours &c

Wm Vick by
Atty

Defendants Exhibit
Plaintiffs