

1856-013

Chancery Causes: Benjamin Gwaltney & ux vs Wilmouth Hancock, H. H. Womble,

Dale of Wight County

admrs of Edward D. H. Moody & al

other surnames: Lane,
Ripley, Chapman, Battin,
Gwaltney

Benjⁿ H. Lovattney *sup.*

Bill *vs.*

H. H. Womble adm^r of.

E. D. H. Moody & Co.

Sept. Rules 1855. Bill *to*
filed and decree nisi.

Oct. Rules 1855. Bill
taken for contempt &c
for leaving

Octo. 1855 Decree for op. &c
p. 62.

Feby. 12th 1856 Com. *vs.* pt.
filed.

May 17. 1856 - Final dec^r.

p. 75.

Call	7.51
atls. Hay	15.75
Shff.	7.00
Com. <i>p.</i>	9.00
Costs	38.46

39.26

To the Honorable Richard H Baker Judge of the Circuit Court for the County of Isle of Wight, in Chancery sitting, humbly complaining sheweth to the Court, Your complainants Benjamin Gwaltney and Roe Ann his wife late Roe Ann Lane, that on the day of 1846, Edw H Moody departed this life in the County aforesaid, having previously made and published his last will and testament, which subsequently, to wit at the May term 1846, of the county court of the said county was admitted to probat, and at the same time, H H Wamble qualified as administrator de bonis non with the will annexed of the said Edw H Moody, and with Thomas D Ripley, Charles Chapman, Charles H Chapman & Clemens Batten as sureties entered into a Bond in a penalty of \$ 5000.00, conditioned according to law; an attested copy of said will with certificate of probat annexed, certificate of the qualification of H. H. Wamble as administrator aforesaid & a copy of said fiduciary bond, respectively marked A. B. & C., are herewith filed as parts of this Bill - that by this said will the said testator subject to a pecuniary legacy of One Hundred dollars to Wilmoth Hancock & specific legacies of slaves to Roe Ann Lane your complainant as aforesaid & to Winnifred Gwaltney one of the defendants hereinafter named, bequeathed the residuum of his estate to your said complainant Roe Ann Lane (now Roe Ann Gwaltney) & the said Winnifred Gwaltney to be equally divided between them - that the said admtr has delivered the specific legacies of slaves to the parties aforesaid entitled to them, & said the said pecuniary legacy to the said Wilmoth Hancock but has failed to settle up the estate of his testator & pay the said residuary legacies - that the said administrator has been guilty of gross neglect in reducing into possession the assets of his testator - that

Exhibits

A. B. & C.

The principal creditor of his testator, was one A. G. Moody who was indebted to the estate in a large amount on several bonds, to wit one bond for \$450.00, due Oct 1st 1842 with interest from that date - one Bond for \$215.00 due April 1st 1842, with interest from that date, on which on the 4th of May 1846, the said adm^r received the sum of \$30.02, & took from the said A. G. Moody a Bond for the balance due on the aforesaid Bond amounting with the interest then due to \$237.78 - another Bond for \$52.58 due Oct 1st 1840, with interest from that date - and another Bond for \$156.00 due March 24th 1842, with interest from that date that the said A. G. Moody at the time of the testator's death was & has ever since been solvent, & the payment of the said bonds could at any time have been enforced, yet the said administrator has failed to collect the same & the larger portion of said money is still unpaid, & if paid no account there- of has been returned - that no inventory or appraisement of his testator's estate has been returned by the said adm^r - that the said administrator has returned an asc of his transactions on the estate of his testator, embracing the period from his qualification to July 15th 1831, shewing a balance due the estate on that date of \$227.27 ^{a copy of which asc was made & is herewith filed as a part of the will} to which balance the aforesaid Rev Am Swallow & Wm Swallow are equally entitled - that no portion thereof has been paid - that the said account is erroneously stated - that if correctly stated a much larger sum will be found due the said many legatees of aforesaid - your complainants are informed & so charge that they have a right to have the said account reopened & settled upon correct principles - They therefore charge that the said account is erroneous in the following particulars - 1st that the first balance in said account is struck on the 31st of December

succeeding his qualification & annually on that date there- after, instead of annually from the 4th of May 1846, the date of his qualification - 2nd In not crediting the estate with the whole amount due from said A. G. Moody on the close of the first year's administration, as the amount might have realized by that date - 3rd The balance due the adm^r on the close of the second year's administration, is \$128.66, instead of \$28.27 - 4th In charging the estate with the legacy of \$50.00 given the adm^r for settling the estate, in the second year's administration when the estate was unsettled, ^{when there were no funds to pay the same} - the said legacy should only be charged in the year in which the estate is fully settled - 5th In charging the estate with interest on the annual balances due the estate, whereas if the administrator had been punctual in realizing the assets, there would have been ample funds for the payment of debts - the said balances are made up of principal & interest & thus the estate is made to pay compound interest, while it is only receiving simple interest on the debt due from said Moody - 6th In charging the estate with interest on the legacy to Wilmoth Hancock, as it was owing to the neglect of the administrator that there were not funds to meet the payment of the same when due - 7th The account does not give the amount due from A. G. Moody, & hence affords no means of ascertaining the balance due, which balance must be much larger than the amount \$227.27 reported by the Commissioner, as after deducting the payments credited in the account from said A. G. Moody there was a balance of some \$700, or \$800 still due which reduced by the amount due the administrator as shown by said asc would leave a much larger amount due the estate than that reported by the Commissioner in the foregoing account - that all the debts due by the said testator have been paid off - that although frequently requested so to do, the said administrator neglected &

refuses to settle the estate of his testator & pay the parties the amounts to which they are respectively entitled - In tender consideration whereof, & for as much as your complainants are without remedy at law & can only be relieved by the order of this ~~honorable~~ court where matters of this sort are cognizable, to this end your complainants the aforesaid Benjamin Gwaltney who has intermarried with the aforesaid Rose Ann Lane & the said Rose Ann his wife, pray that the aforesaid Wilmoth Hancock, H. H. Womble admit ~~that the~~ will annexed of the said E. & H. Moody deceased, Willis Gwaltney husband of the said Winnifred Gwaltney the said Winnifred Gwaltney, Charles Chapman & Clemons Batten the surviving securities of the said administrator, John E. Adams, administrator of Chas H Chapman, & A Atkinson executor of Thos D Ripley (the deceased securities of the said administrator) may be made parties to this bill & be required to answer the same, that the aforesaid account of the said H. H. Womble's transactions on the estate of his testator may be settled on correct legal principles & reformed in the particulars herein referred to, & such other matters if any as may hereafter be made to appear proper, & for that purpose referred to the commissioner of this court - that the said H. H. Womble may be required to produce before said commissioner an inventory of his testator's estate, & that your Honor will decree your complainants & the other residuary legatees satisfaction for such balance as may be shown to be due them on such settlement by the said H. H. Womble or in his default by his said securities & grant such further & other relief in the premises as may be proper -

Hayden pr -

To the Honorable Richard H Baker Judge of the Circuit
Court for the County of Isle of Wight, in Chancery sitting;
The joint and ~~several~~ answers of Willis Gwaltney & Win-
nifred his wife, to the Bill of Complaint, in said
Court exhibited by Benjamin Gwaltney & Roe
Ann his wife (late Roe Ann Lane) against them
& others; These Defendants respectively, now & at all
times hereafter, saying to themselves all & all manner
of benefit or advantage of exception or otherwise, that
can or may be had or taken to the many errors, uncer-
tainities & imperfections in the said bill contained, for
answer thereto, or to so much thereof as these defendants
are advised it is material or necessary for them to
make answer to, severally answering say, that they
admit to be true the allegations in said complain-
ants bill contained, of the death of the said E. S. H.
Moody, the admission of this will to probate, the quali-
fication of H. H. Stubble as his administrator with the
will annexed, of the the provisions of said will -
your said defendants have as in said complainants
bill, alleged, received ~~from~~ the said executor the ne-
grees bequeathed to the aforesaid Winnifred by the
said will, but the said executor has not paid to
your said defendants, any portion of the legacy
due them under the residuary clause of the said
will, which the said executor has wholly neglected
refused to discharge - your said defendants believe
the charges in said bill made as to the effects in
the hands of said executor, & as to the errors in said execu-
tors account, to be true & they have no objection to the
decree prayed for by said bill, & having answered
they hence to be dismissed with their costs & moneys
fully expended in this behalf -

Signed

Winnifred Gwaltney
Willis Gwaltney
mark

Tale of Wight County, to wit:

Willis Gwaltney & Winnifred Gwaltney his wife, this day personally appeared before me a justice of the peace for the County aforesaid & made oath, to the truth of the statements in the foregoing annexed the best of their knowledge & belief.

Given under my hand this 17th day of October 1855

A. G. Moody J.P.

Smallney Snipe }
18
Monck's Adm. }
et al.

Museum of Willis Smallney
Snipe -

Reign^d H. Swallow
to wife.

3 sent in
m. 3 Chy.

H. H. Wamble Adm.
of E. D. H. Moody
to wife.

To Sept. July 1853.

Raymond Jr.

I delivered a true copy to
Clement Butler, Miles & others
and Charles Chapman.

I delivered a true copy to E. D. Moody Esq for
copy I & others. Y Hall shd.

H. H. Wamble Ac. Thayer
& Remondt Hancock

I have shd.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—GREETING.

YOU ARE HEREBY COMMANDED TO SUMMON *Henry H. Wamble, adm^r*

*with the will annexed of E. D. H. Moody decd, Adm^r.
Attorney, Exor. of T. Drifely decd. John E. Adams adm^r of
Chas. H. Chapman decd, Charles Chapman Clements Potter
Willis Crothy & Sumner his wife & Edmund Hancock*

to appear at the Clerk's Office, of our Circuit Court for Isle of Wight county, on the first
Monday in *September* next, to answer *a bill in chancery to be*

filed against them by Reuben M. Crothy and Rose Ann his
wife late Rose Ann Lane.

~~of a plaintiff~~

~~damages~~

and have then and there this Summons.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this *6th*
day of *August*, 185*5*, in the *50th* year of the Commonwealth.

N. P. Young, cl.

D^r The Estate of Edward D. H. Moody dec. In account with

1847
May 4 To disbursements this year
balance due the estate 225 24
1138 82
\$1304 06

1848
May 4 To disbursements this year
balance due the estate 616 01
525 26 68 32
\$1141 27 68 32

1849
May 4 To disbursements this year
balance due the estate 178 65
346 61 99 83
\$525 26 99 83

1850
May 4 To disbursements this year
balance due the estate 44
346 17 120 62
\$346 61 120 62

1851
May 4 To disbursements this year
balance due the estate 25 00
321 17 141 39
\$346 17 141 39

1852
May 4 To disbursements this year
balance due the estate 54 10
321 17 160 66
\$321 17 160 66

An Account Showing the amount due each of the
legates of E. D. H. Moody dec. on the 16th day of May
1856. As pt. foregoing account, A,

1852
May 4 To Amount due Benj. H. Gwatney & Roseann
his wife (p. Principal & Int.) 133 53 80 33
1856 May 16 Int. on \$133.53 to date 32 30
133 53 112 63

1856.
" May 4 To amount Willis Gwatney & Winifred his
" the wife (p. Principal & Int.) 133 53 80 33
" 16 Int. on \$133.53 to date 32 30
133 53 112 63

Henry H. Hamble his administrator with the will annexed. Cr.

1847 By receipts this year including 4 bonds
May 4 against A. G. Moody 1304 06
\$1304 06

1848 By balance per contra 1138 82
May 4 interest thereon to date 68 32
receipts this year 2 45
\$1141 27 68 32

1849 By balance pr. contra 525 26 68 32
May 4 By interest on balance to date 31 51
\$525 26 99 83

1850
May 4 By balance due pr. contra 346 61 99 83
interest on balance to date 20 79
\$346 61 120 62

1851
May 4 By balance due pr. contra 346 17 120 62
interest on balance to date 20 79
\$346 17 141 39

1852
May 4 By balance due pr. contra 321 17 141 39
interest on balance to date 19 27
\$321 17 160 66

Commissioner's Office

Isle of Wight Courthouse, Jan. 26th 1856.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the Circuit Court of Isle of Wight County, rendered on the 20th day of October 1855, in a suit in Chancery depending in the said County between Benjamin H. Gwatney and Rose Ann his wife (late Rose Ann Lane) Plaintiffs, and Henry H. Womble Administrator with the will annexed of Edward D. H. Moody decd., John C. Adams Adm^r of Charles H. Chapman decd., Charles Chapman, Clements Patton, Willis Gwatney and Winnefred his wife and Wilmoth Hancock Defendants, the undersigned one of the Commissioners of the said Court, to whom was referred for settlement by said decree, the account of the said Henry H. Womble as adm^r with the will annexed of the said Edward D. H. Moody decd. and an account of the amounts due the legatees under the will of said Testator. Reports to the Court, that on the 28th day of November 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 9th day of Jan. 1856, which Notices were returned to your Commissioner duly executed. That the parties aforesaid failed to appear, and the taking of said accounts was adjourned to the 26th day of Jan. 1856, of which adjournment, the Attorney for the plaintiffs and the defendants in person were notified, that the Attorney plaintiffs, and the said Defendant Henry H. Womble administrator as aforesaid appeared before your Commissioner pursuant to said adjournment, and he thereupon examined, stated and settled the foregoing account of the said Henry H. Womble's administration of the estate of the said Edward D. H. Moody decd., (taking the account filed with the plaintiffs Bill and referred to in the said decree, as correct, except where surcharges and falsified) up to the 4th day of May 1853. And on that day found a balance due the said estate from the said administrator of \$427.73. of which \$160.66 is interest. The Commissioner reports specially, that in making the foregoing account, he charged the administrator with the whole amount of the inventory of his testator's estate, as shown by the inventory furnished by the administrator, and herewith filed, except a claim against Robert T. Cofer, of which only \$2.45 was collected & the adm^r charged therewith. That he did not allow the administrator interest on the legacy paid to Wilmoth Hancock, and that he has allowed the legacy of \$50.00 to the adm^r for settling the estate, in the last years transactions. Deeming it proper that the same should not have been allowed until the estate was settled. The Commissioner reports further that he has made an account showing the amount due each of the legatees of Edward D. H. Moody decd. of the balance reported above.

On the 16th day of May 1856, and that from said account it appears that on the said 16th day of May 1856, there will be due to Benjamin H. Gwatney and Rose Ann his wife the sum of \$246.16 of which \$112.63 is interest - and to Willis Gwatney and Winnefred his wife at the same time, there will be due the sum of \$246.16 of which \$112.63 is interest. The Commissioner further reports to the Court, that after the completion of said account he retained the same in his office ten days for the examination of the parties. The decree and Notices aforesaid, are herewith filed.

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

A. J. Young

Time employed by the Commissioner in examining - stating & settling the foregoing acc^t: Writing Notices &c. 12 hours \$9. - fee charged to the plaintiffs.

A. J. Young Com^r

Beatty's Wife

W.S.

3 Cont. (apt.)

Moody's Abstr. Vals.

Feb. 12th 1856 filed.

=

Gwaltney wife }
as }
E S H Moody's }
Adm'r & al's }

This cause came on this day to be again heard on the papers formerly read, & on the report of Commissioner Young made pursuant to a decree herein of October Term 1835, & was argued by counsel, on consideration whereof the court confirming said report, to which no exception was filed doth adjudge order & decree that H. H. Wamble administrator with the will annexed of E. S. H. Moody, deceased, pay to Benjamin H. Gwaltney & Rose Ann his wife the sum of \$246.16, with interest on \$133.53 paid thereof from the 16th of May 1836, till paid; to Willis Gwaltney & Winnifred his wife the sum of \$246.16, with interest on \$133.53, paid thereof from the 16th of May 1836, till paid; but the said parties shall not have the benefit of this decree, until they shall execute in the clerk's office of this court bond with sufficient security, payable to the said H. H. Wamble as administrator of the said E. S. H. Moody, in a penalty equal to double the amounts respectively received by them conditioned to refund due proportion of any debts or demands that may hereafter appear against the estate of the said ~~E. S. H.~~ Moody with the costs attending the recovery of the same. And the court doth further adjudge order & decree that the defendant H. H. Wamble ~~do pay to the Plaintiffs~~ their costs by them about their suit in this behalf expended. Liberty is reserved to resort to the securities of the said H. H. Wamble as administrator in aforesaid should this decree against him prove unavailing.

Benj H Gualthney
clerk

E S H Moody's
Admtr & cl.

Rough decree
May Term 1835 -

To be entered -

R. H. Baker

Conf.

40.

Emalting wife

as

H. N. Nobiles adult

et al.

This cause came on this day to be heard on the Bill, taken for confessed as to the defendants. H. N. Nobile, adult of E & N Morby, N. Atkinson Esq of Thos & Ripley, John E Solans, adult, of Charles N Chapman, died, Charles Chapman, Clements Battle & Wilmoth Hancock, on whom process, had been duly served, & they still failing to appear & answer, on the answer of Willis Emalting & Winnieped ~~Emalting~~ wife, this day filed by the consent of the court, with general replications thereto, on the exhibit, was argued by counsel. On consideration whereof the court doth adjudge order & decree that ~~a~~ ~~commissioners of this court~~ ~~to take an account of the~~ ~~transactions of the said H. N. Nobile, as administrator~~ ~~with the will annexed~~ the account of H. N. Nobile as administrator with the will annexed of E & N Morby deceased filed with the complainant's bill, be committed to a commissioner of this court, who shall make up an account of the said administration ~~his~~ ~~transactions in the estate of his said testator, & state~~ ~~said account as correct, subject to be discharged~~ ~~if satisfied by either party~~ ~~an account of the~~ ~~amounts due the legates under the will of said~~ ~~testator, in taking which account the commissioner~~ ~~is authorized to examine the said H. N. Nobile~~ ~~as administrator of said~~ ~~in solemn form & require~~ ~~him to produce before him the inventory of the estate~~ ~~of his said testator & to answer such~~ ~~other questions~~ ~~as may then & there be asked him; & to state~~ ~~the said commissioner is required to state~~ ~~with any matters deemed pertinent by himself or~~ ~~be required by the parties to be so stated~~

Benj H. Emalley
et al -
vs -

E. S. H. Moody & al -

Rough Decree
Oct Term 1855

To be entered

R. H. Baker

Ent?

13

A Circuit Court continued and held for the County of
Ole of Wight on the 20th day of October 1853.

Benjamin H. Gwatney and Roseann his wife (late
Roseann Lane Df,

Against

In Chancery

Henry H. Womble administrator with the will annexed
of C. D. H. Moody decd., Archibald Atkinson Exor. of Tho:
D. Ripley decd., John E. Adams adm^r of Charles H. Chapman
deceased, Charles Chapman, Clements Patton, Willis Gwatney
and Winifred his wife, (and Wilmoth Hancock. Df

This Cause came on this day to be heard on the Bill,
taken for Confess as to the defendant H. H. Womble adm^r.
of C. D. H. Moody - A. Atkinson Executor of Thomas D. Ripley,
John E. Adams adm^r of Charles H. Chapman decd., Charles Chap-
man, Clements Patton and Wilmoth Hancock - on whom process
had been duly served - They still failing to appear and answer, On
on the Answer of Willis Gwatney and Winifred his wife, this
day filed by the Consent of the Court, with general replications
thereto. On the exhibits, and was argued by Counsel. On
Consideration whereof the Court doth adjudge - order and
decree - that the Account of H. H. Womble as administrator
with the will annexed of C. D. H. Moody decd. filed with the com-
plainants bill, be recommended to a Commissioner of this Court
who shall make up an account of the said administrators
transactions on the Estate of his said testator, taking said
account as correct, subject to be impeached and falsified by
either party, And an account of the amounts due the legates
under the will of said testator, in taking which accounts
the said Commissioner is authorized to examine the said H. H.
Womble as administrator aforesaid in solemn form - and require
him to produce before him the inventory of the estate of his
said testator - and to answer such questions as may then
and there be asked him touching said accounts - which
said accounts the said Commissioner is required to state - settle

And report to Court. with any matters deemed pertinent
by himself - or be required by the parties to be so stated.

A Copy
Gente.

A. P. Young esq

Commissioners Office, Isle of Wight Court house. Nov. 28th 1855.
You are hereby notified, that I have appointed the 9th day of January
next, if fair, if not, the next fair day thereafter (Sunday excepted)
to take and settle at my office - the accounts required by the within
decree, at which time & place you are required to attend.

Given under my hand as Commissioner of the said Court the
day and year first aforesaid.
To the Plaintiff, & Defendants
in the foregoing decree

A. P. Young

Quittance Val

25.

Copy from

Moody's acct.

Given in by Arthur & Son
Copy to Mr. Ruddle and others &
to Mr. Young on 11th of Jan
1855
A. P. Young

Copy of Decree
to Mr. Ruddle
11th of Jan 1855

In the name of God Amen, I Edward D. H. Moody of the County of Isle of Wight and State of Virginia. being in perfect sound mind and memory, do Constitute make and ordain this my last will and Testament in manner and form following to wit.

Item 1st I give and bequeath unto my Sister Rose Ann Lane One Negro man Named Joshua, One Negro woman Named Easter, and one Negro girl named Fanny - to her and her heirs forever -

Item 2nd I give and bequeath unto my Sister Winifred Gwatney One Negro woman named Angelina and girl named Amanda - and one named Amanda Mirrirow and their increase - to her and her heirs forever -

Item 3^d I give and bequeath unto Wilmoth Hancock one hundred Dollars to her and her heirs forever.

Item 4th I give Henry H. Wornble Fifty dollars to settle my Estate -

Item 5th I wish the remainder part of my estate to be sold and after paying all of my Just debts the balance if any - to be equally divided between my two Sisters (Namely) Winifred Gwatney and Rose Ann Lane to them and their heirs forever.

In witness whereof I do hereunto set my hand and Seal This 8th day of October 1844.

E. D. H. Moody *(Seal)*

Witness
James S. White
Charles H. Chapman
Dawson Moody

2
3
3
3
3

In Isle of Wight County Court. May 4th 1846. The foregoing last will and testament of E. D. H. Moody decd. was presented in Court by Henry H. Wornble - and proved by the oaths of James S. White and Charles H. Chapman two of the witnesses thereto, and ordered to be recorded, H. H. Wornble qualified as admr. with the will annexed - and gave bond and security in the

penalty of \$8000.- Conditions according to law.

Teste

C. A. Young es

A copy

Teste.

J. C. Latimer DC

Edward D. H. Moody.

W. L.

A. Coffey

Exhibit A. Filed with
Circuit Court -

Q. of Qualifications of
A. H. Womble on the
Estate of E. D. H. Moody

A. Copy

Exhibit B filed
with Compt's Bill

At a Court held for Isle of Wight County on the 4th
day of May 1845.

The last Will and testament of Edward D. H. Moody decd.
was proved by the oaths of James S. White and Charles H.
Chapman two of the witnesses thereto and ordered to be
recorded, and on the motion of Henry H. Womble (the parties
consenting) who made oath and with Thomas D. Ripley,
Charles Chapman, Charles H. Chapman and Clements
Batten his securities, who justified, entered into bond in
the penalty of \$8000. Conditioned as the law directs,
Administration with the will annexed is granted him on
the estate of the said E. D. H. Moody in due form of law.
Ordered that A. G. Moody, Wm. J. Thomas, Charles H. Chapman
and Dawson Moody or any three of them being first-
duly sworn, appraise the estate & make report to the Court.

A. copy. Test -

J. C. Latimer D.C.

in full force.

Signed Sealed, acknowledged }
and delivered in the presence of }

W. H. Womble Seal
Thos. W. Ripley Seal
Chas. Chapman Seal
Chas. W. Chapman Seal
Gleimons. Patton Seal

Teste

A copy
Teste.

N. P. Young cc

J. C. Latimer DC

E. D. W. Moody's Admin^r

Bound

A. Copy

Exhibit to file
with Comptroller
Belle

Know all men by these presents, That we Henry H. Womble, Thomas D. Ripley, Charles Chapman, Charles H. Chapman & Clemmons Patton are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of Eight Thousand dollars to the payment whereof well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, Executors and administrators, Jointly and severally firmly by these presents, Sealed with our Seals, and dated this 4th day of May - Anno Domini One Thousand Eight hundred and forty six - and in the 70th year of the Commonwealth.

The Condition of the above obligation is Such, That if the said Henry H. Womble Adm^r. with the will annexed of Edward D. H. Moody deceased, do make a true and ~~faithful~~ perfect inventory of all and singular the said good, Chattles and credits of the said dec^d., which have or shall come to the hands, possession or knowledge of him the said Henry H. Womble - or into the hands or possession of any other person or persons for him - and the same so made do exhibit into the County Court of Isle of Wight - Where he shall be thereto required by the said Court, and such good, Chattles and credits, do well and truly administer according to law; And further do make a just and true account of his actings and doings therein, When thereto required by the said Court. And all the rest of the said good, Chattles and Credits, which shall be found remaining upon the account of the said administrator. The same being first examined and allowed by the Justices of the said Court for the time being, Shall deliver and pay unto such persons respectively as are entitled to the same by law; And if it shall hereafter appear that any last will and testament was made by the deceased, and the same be proved in Court, And the Executor obtain a certificate of the probat thereof, And the said Henry H. Womble do, in such case, being required, ^{and deliver} render up his titles of administration, Then this obligation to be void, or else to remain in

The Estate of Edward D. W. Moody decd.

In account with Henry H. Womble adm^r. with the will^{am}.

1846

Apr. 1.	To paid Rev. Joel Whitley funeral services	2 00
May 4	" paid Jas Chalmers Bond	5 25
	" paid Ben ^d Chapman Ex ^r of A. J. Villins - Bond	30 02
	" paid Bro R. Purdie part of do.	30 00
June 13	" paid A. J. Stallings acct.	" 40
	" paid Chas. A. Chapman as appraiser	1 00
	" paid A. G. Moody " ditto	1 00
	" paid Wm. Thomas " ditto	1 00
	" paid Daniel Moody " ditto	1 00
	" paid Wilson Jones " Auctioneer	1 50
26	" paid Stallings & Hollerman acct.	13 59
	" paid Shff. Taylor	1 42
	" paid Thos. Adams acct	127 63
Oct. 5.	" paid Latimer & Joyner "	" 25
Nov. 10	" paid John R. Purdie bal. Bond	9 18
		<u>\$225 24</u>

1846

Apr.	By This sum in cash found in the house where the Testator died - belonging to said Testator	45 50
May 4	By Cash of A. G. Moody part of bond	30 02
Dec. 30	" Amt. of Sales of the estate due This day	96 57
" 31	" This sum bal. due the adm ^r . p ^r . debit	53 15
		<u>\$225 24</u>

1847.

Jan. 1	To. This sum bal. due the adm ^r . last year	53 15
Apr. 15	" Amt. of bond due the adm ^r .	79 62
" 5	" paid N. W. Norwotney - bond	45 50
" 1	" paid Wm. Folk acct	15 88
May 4	" paid Thos. W. Davis part of bond	10 00
June 26	" paid Thos. Riggins acct	4 12
July 20	" paid Merit - Womble bond	9 75
Aug. 1	" paid Thos. W. Davis bal. do.	37 41
" " "	" paid ditto acct.	1 00

Aug. 1	To paid Dr. Nail part of acct	275 00	1850
Sept.	" paid Clk. of Sale of Wright tickets	2 00	
"	7 " paid Josiah Beal for Shot Riggins acct	75 00	
Nov. 1	" paid Dr. Nail part of acct	50 00	
"	4 " paid M. F. Dickson acct	3 50	
"	5 " paid M. W. Newbury bond	80 79	
Dec. 29	" paid Edwin Womble "	23 50	
"	31 " paid Willis Gwatney part of acct.	30 00	
"	" + This Sum retained as a legacy to the administrator for his services in settling Est.	50 00	
"	" + Interest on \$53. 15 one year	3 18	
		\$ 3 18	\$ 541 58

1847		571 97	1851
April 5	By this Sum rec. of A. G. Moody part of bond	250 00	
July	" " " of Henry A. Turner and so.	18 54	
"	" " " of W. Gwatney	9 50	
"	" " " of Jos. Beal	27 62	
"	" " " of W. M. Powell	38 15	
Nov. 1	" " " of A. G. Moody part of bond	100 00	
Dec. 31	" Bal due the admr. pt. Debit	3 18	28 27
		\$ 3 18	\$ 541 58

1848			1851
Jan. 1	To This Sum bal due admr. last year	3 18	28 27
"	" paid Jos. E. Adams for Eliza Chapman after deducting offsets of \$13.70.		115 65
"	" paid Jos. E. Adams 2 bonds		25 10
"	3 " paid Wilson Louis Es. ap.		2 50
"	5 " paid Dr. B. Pasteur due bill		3 94
June 3	" paid Daniel Moody for Coffin		20 00
"	" " paid bills for Top fodder		3 50
Dec. 25	" paid Dr. Nail part of ap.		11 77
31	" Int. on \$28. 27 one year	1 09	
		\$ 4 87	\$ 210 73

Jan. 1	To This Sum due the admr. last year	210 73	4 87
"	" " paid Miss Wilmoth Hancock legacy with Int.	113 50	
July 11	" paid Wm. Thomas acct.	34 50	
Aug.	" paid Clk. of S. of Wright ticket	" 44	
Dec. 31	" Int. on \$210. 73 from 31st Dec. 48 - 2 yrs.		25 28
		\$ 358 67	\$ 30 15
1850			
July 11	By this Sum of A. G. Moody on bond	81 71	
"	" this Sum of bills part of bond	148 50	
Dec. 31	" This Sum bal due the admr. pt. Debit	128 46	30 15
		\$ 358 67	\$ 30 15
1851			
Jan. 1	To This Sum due the admr. last year	128 46	30 15
15	" paid Willis Gwatney for keeping woman & children 1846	25 00	
"	" Int. on \$128. 46 - 6 1/2 mo.	4 16	
"	" Amt. of Interest brot forward	30 15	
"	" This Sum to pay Clk. for recording this acct.	4 00	
July 15	" This Sum to pay Com. for settling this acct.	15 00	
"	" Bal due the Estate pt. Contra	227 27	
		\$ 434 04	

July 15 By Amt. of Three bond due from A. G. Moody with interest - after deducting offsets - Due the Est. \$227. 27

Commissarius Office, Octo. 20th. 1851.
 At the request of Henry H. Womble, I have examined and stated and settled an account of said Womble's transactions on the estate of Edmund D. H. Moody dec. from papers and evidence laid before me and find the said Henry H. Womble indebted to the estate of said Moody, the sum of two hundred and twenty seven dollars and twenty seven cents - with interest thereon from the 15th day of July 1851 - till paid. Notice of the settlement of this account was advertised according to law. & the account remained in my office

More than ten days after its Completion, all of which
is Submitted to the Court.

Barth. Lightfoot Comr.

In Isle of Wight County Court March 1st. 1852. The
foregoing account having been filed in the Clerk's office of said
Court. for one month. and no exceptions having been filed
thereto - Was confirmed and ordered to be recorded.

Teste.

N. P. Young esq

A copy

Teste.

J. C. Latimer esq

E. D. W. Mosby. Esq.

with

attest

W. W. Moulde admr

A copy

Exhibit - as filed
with Confidential
Bill

KNOW ALL MEN BY THESE PRESENTS, That we, *Willis Gwathney*
and John C. Thomas

Henry H. Womble admr. E.D. Moody decd.
are held and firmly bound unto ~~the Commonwealth of Virginia~~ in the sum of *Five hundred*
Dollars. 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. As witness our Hands and Seals, this *2^d* day of *June*, in
the year of our Lord, one thousand eight hundred and *fifty six*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the
Circuit Court of Isle of Wight county pronounced on the *17th* day of *May 1856.*
in a cause depending in the said Court in which *Willis Gwathney & wife*

are plaintiff, and

Said Womble admr. aforesaid & others are defendant, the
~~above bound~~ It was adjudged and ordered that the ~~was appointed a special Com-~~
~~missioner to~~ *Said Willis Gwathney and wife* should not have the benefit
of said decree until they executed bond and security in the penal-
ty of double the amount they received by said decree vs. *Said*
Womble admr. aforesaid, payable to said admr. conditioned to refund
pd. Now if the said *Willis Gwathney and wife* shall
refund due proportion of the amount of any debt or demands
that may hereafter appear against the estate of *Said E. D. H.*
Moody with the costs attending the recovery of the same

Now if the ~~above bound~~ shall faithfully discharge
his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to
remain in full force and virtue.

Signed, sealed, and delivered }

in the presence of }

H. L. Latimer DC.

Willis Gwathney
mark

John C. Thomas



KNOW ALL MEN BY THESE PRESENTS, That we, Benjamin H.

Swatney and John C. Thomas
are held and firmly bound unto the Commonwealth of Virginia in the sum of five hundred
and twelve dollars & ninety eight cts 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. As witness our Hands and Seals; this 2^d day of June, in
the year of our Lord, one thousand eight hundred and fifty six

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the
Circuit Court of Isle of Wight county pronounced on the 17th day of May 1856
in a cause depending in the said Court in which said B. H. Swatney wife

and
said Wm. adms. aforesaid & others, are

plaintiff, and

defendants; the

above bound

missioner to

was appointed a special Com-

It was adjudged & decreed that the said B. H.
Swatney wife should not have the benefit of the
said decree until the executed bond & entry, in
the penalty of double the amt. They received by said
decree & said Wm. adms. aforesaid, payable to
said adms. One demand to refund & Now if the
said Benjamin H. Swatney and now and his wife
shall refund due proportion of the amount of
of any debts or demands that any hereafter of her
against the estate of said C. D. H. Moody with the
cts. attending the recovery of the same

Now if the above bound

shall faithfully discharge

his duties as Commissioner and the said B. then the above Obligation to be void, otherwise to
remain in full force and virtue.

Signed, sealed, and delivered }

in the presence of }

L. C. Lattimer D.C.

Benth H. Swatney

John C. Thomas

