1861-001 Chancery Causes Edwin Pliny Womble, William Cresdem Womble + Benjamin F. Womble's adms.
Dale of Wright County vs Henry H. Womble, extor of Edwin Womble
Thomas Hall, adm of Benjamin F. Womble vs Henry H. Womble, trustee

other SURNAMES: WRENN, Calcotte, Holleman, Pedin, Edwards, Moody, Shivers, Danden, Whitehead, Cofer, Pasteur, Valentine, Jordan, Carroll, Bailey, Adams, [Thomas-Adams], Thomas, Gwaltney, Purdie, Polley

Whitfield &c

Womble &c.

vs. Coley &c

Wombles Exor. &c.

1836

Sept. subs. Bill T. filed
Dec. &c. Decree.

Sept. subs. Bill taken for
confessed & set for hearing.
Dec. 1836. Decree &c. f. 89

Apl. 20th 1837. Comm. Hardin
report filed.

May 16th. 1837 - Decree
A. B. f. 99.

Sept. 16. filed Comm. report.

Dec. 1837 - Decree f. 133.

May 1858 - Rule vs.
Def. to show &c.

Oct. 1858. Com.

May 1859 Rule vs. Def. & dem
for further act.

Oct. 1859. Com.

May 1860. Com.

Oct. 1860. Com.

Apl. 4th. 1861.
Comm. report & Statement
filed.

May. 1861 Final Decree

Bowles.

v. Bill

Bowles Exor. & als

Sept. Decr. 1836. Filed

said account (which they allege does not bind them as they were not parties to the said suit) - is neither a full, nor an accurate account of the said Humble's transactions - in some respects favourable, in others equally unfavourable to the said Executor - That sums and amounts due the estate have been omitted, and that sums and bonds have been charged against the executor which should not have been - & they are not desirous of wronging the executor, but only wish the estate of their late father to be settled fairly and justly -

Your Complainants, allege that they, with the said Henry H. Humble, and Benjamin F. Humble mentioned in the will of Edwin Humble dec'd, were his children & his only heirs at Law -

That the said Benjamin F. Humble has departed this life since the decease of his father, and administration on his estate has been committed to Thomas Hale Sheriff of Harris County - as will appear by the order of qualification & Commitment here with filed as a part of this Bill -

Your Orators pray that the said Henry H. Humble may be compelled by attachment & process of this Hon. Court to render an account of his transactions as executor of the estate of Edwin Humble dec'd before a Commissioner of this Court and the amount ascertained to be due them according to the will of the late father Edwin Humble dec'd be paid over to them severally - That the said Humble as executor, and in his own right, ~~and Thomas Hale the Sheriff &c. Executor of the estate of Benjamin F. Humble be made~~ be made party Defendant to this Bill, and answer the same - That this Honorable Court will grant the decree above mentioned, and also other relief which may be meet and just in the premises. & Grant. Comp^{ts} Pray -

D H Whitfield & Co

To the Hon: Richd. H. Baker judge of the Circuit Court of the 8th of eight Counties: In Chy. sitting; humbly complaining sheweth unto your honor, your Complainants Edwin D King Womble and Thomas Hall adms. of Benj. F. Womble dec'd, William Anderson Womble, that their father Edwin Womble of the said County, departed this life, in the year 1850, after having made and executed his last Will and Testament, bearing date the 28th of June 1848. a certified Copy of which is herewith filed and prays to be taken as a part of this Bill - That Henry H. Womble the executor therein named qualified as on the 4th Nov. 1850 as will appear by an endorsement to that effect on the Copy of said Will - and entered into Bond in the penalty of $1500.00, with the parties therein mentioned as his securities -: but which Bond has been lost - viz, Ed. D. Womble Henry Calcotte, Wilson Hollemon, John B. Perkins, & Allen Edwards: That thereafter on motion of Jno. B. Perkins one of the said securities for Counties security, the said Womble executed a new Bond on the 1st day of Janry. 1853 with Allen Edwards, Albert G. Moody, Wilson Hollemon, John M. Shivers, Charles S. Darden, and Madison Edwards as his securities - as will appear by a Copy of the same herewith filed as a part of this Bill -. And your Complainants further shew that, the said Henry H. Womble executor has sold all the estate directed by the said will to be sold, which together with amounts due to the Estate amounted to a very large sum of money - to wit the sum of $10.000.00 or more as will appear by the account of sales herewith filed as a part of this Bill -. That the said Womble has not settled the estate of his testator nor rendered any account of his transactions as executor of the same and, unless he can be compelled in a suit by Edwards Committee of Lunacy as executor aforesaid, he considered as such - a Copy of which is herewith filed as a part of this Bill - Your Complainants further shew, that the

and D. whether any portion or if any what portion
of the debt recited in said deed as due
him is still unpaid — that by decree of this
court the necessary accts. may be directed
& that such further & other general relief
may be granted as the nature of the case
may require & to the Court may seem
meet. & your orator will ever pray &c. &c

Sign'd —

R. H. Whitfield & P.Q.

Solicitor for Complt

Memorandum Bill —

To the Honorable Richard A. Baker Judge of the Circuit Court of Isle of Wight in Chancery sitting;

The amended bill of your orator Thomas Hall late Sheriff of the County of Isle of Wight to show was committed for administration the estate of Benjamin F. Womble dec'd shows to the court that heretofore your orator exhibited in this court his original bill as administrator aforesaid against A. A. Womble as Executor of Edwin Womble dec'd in his own right praying for ascertainment of the said A. A. Womble's transactions as Executor aforesaid & the ascertainment by a commission of this court of the amt. due from said Executor to your orator said intestate which accordingly directed by a decree in said original suit of this court at its October Term 1850 in pursuance of said decree the commissioner of the court has reported the sum of $ with interest on $ part thereof from May 10th 1854 to be due from said Executor to your orator said intestate B. F. Womble. That since the filing of said bill your orator has learned that the said B. F. Womble in his life time & subsequent to the death of the said Edwin Womble executed & conveyed bearing date the 30th day of July 1850 whereby the said Benjamin F. Womble conveyed all his interest in the estate of the said Edwin Womble to the said A. A. Womble to secure to the latter the amt. due him on the bond of the said B. F. Womble for $977.33/100 bearing date 1st of January 1850 & to secure the said A. A. Womble for all debts in any

for which the said A. A. Womble was bound
as security for the said B. F. Womble & also
to secure the creditors generally of the said
B. F. Womble with authority on the part
of the said A. A. Womble to receive whatever
might be due the said B. F. Womble from
the estate of the Edwin Womble & apply the
same in discharge of the trusts of the deed
aforesaid which deed was ordered
to record in the Clerks Office of the County
Court of the County aforesaid on the 24th of
December as an office copy of which deed with
the certificat of recordation annexed marked
Exhibit A. is herewith filed as part of this
amended Bill. Your rator is informed
& so charges that the trusts of said deed in
part executed & that the beneficiaries under
said deed are entitled to the payment of their
debts secured by the said deed so far as the
said are still unsatisfied. one of the trust
funds conveyed by said deed before your rator
as administrator aforesaid is entitled to
receive the amount of the his intestate from
the estate of the said Edwin Womble. In
tender consideration whereof & for as much
as your Complainant is without remedy
at Law & can only be relieved before a
of this Honorable Court of Chancery where
matters of this sort are cognizable; to this
end your Complainant prays that the said
A. A. Womble as trustee under the deed afore-
said & as a beneficiary under said deed
may be made & that defendant to this bill
the required to answer the same & be made
to disclose under oath how far & in what
manner he has discharged the trusts under said

Hall Shiff &
ads J. B. F. Wooldridge

Answer

Noonkin
v. } Bill
Wooldridge &c.

Filed Aug. 1856

The Answer of Thomas Hall Sheriff & Committee of the estate of Benjamin F. Hamilton, late, to a Bill filed against him & others by E. P. and Mrs. A. Hamilton &c. Be Circuit Court of Hinds County.

This respondent saving and excepting &c. answers and says that the estate of Benj. F. Hamilton and, has been committed to his hands as is set forth, in the said Bill, and this fact, together with the death of Edwin Hamilton &, is believed much the extent of his information in the premises - That he waits in the progress of the complainants, for a settlement of the times & affairs of said B. F. Hamilton's estate as at present standing answers prays hence to be dismissed

Wombledale
&
Wombles Esqr

In Chancy

Answer of H. H. Womble

in said deed to reimburse him the amounts paid by him as security for said B.F. Womble to execute the other trusts under said deed & having answered prays hence to be dismissed with his costs in this behalf expended

Sigmt.

State of Wright County Sct:

This day personally appeared before me a justice of the peace for the county aforesaid W.H. Womble & made oath to the truth of the statements contained in his forgoing answer. Given under my hand this day of July 1857.

To the Honorable Richard H. Baker Judge
of the Circuit Court of Isle of Wight
County in Chancery sitting

The answer of W. H. Wombl in
his own right & as trustee under and of
trust from B. F. Wombl the bill of
complaint in said Court exhibited by
Thomas Hall & others. of said B. F.
Wombl against him, this

This defendant reserving to himself
all right of exception to the said bill of
complaint for answer thereto saith
that said B. F. Wombl did execute
to this respondent the deed in said bill
mentioned that upon which the debt
recited in said deed as due by bond to
this defendant has been paid that
he has since the execution of said
deed paid several sums as security
for said B. F. Wombl for which he was
bound as security on the debt of said
deed to wit, the sum of $100— with
interest to Charles F. Wrenn $15—
with interest to Joseph Blackhead &
about $38— with interest to William
Cofer that he has paid some of the
creditors of B. F. Wombl & that not
having until lately settled his trans-
actions as executor of Edwin Wombl's estate
he has in no respect discharged the
trusts of said deed. This defendant
alleges that for the purpose of said trust
he has relied on such portion of the in-
terest of B. F. Wombl in the estate of
Edwin Wombl as is necessary to dis-
charge the debt due him mentioned

Womble & als.

vs. Summons in Chy.

Womble Exor. &c.

To Sept. Nov. 1866
Cir. Ct.
Whitfield p.q.

Received by
delivering a True
Copy
J. Hall Sh.ff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—GREETING.

YOU ARE HEREBY COMMANDED TO SUMMON Henry A. Womble in his own right and as Executor of the last will and Testament of Edwin Womble dec'd.

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 filed against him by Edwin P. Womble William A. Womble and Thomas Holt Sheff. and Committee of the estate of Benjamin F. Womble dec'd.

~~of a plea of~~

~~damages~~

and have then and there this Summons.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this 15th day of August, 185 5, in the 79th year of the Commonwealth.

N. P. Young c.c.

Sworn & subscribed before me as commissioner aforesaid
this 19th day of Feb. 1837.

C. B. Hayden

The foregoing deposition of Edwin P Bomble
was taken by our consent to be read as evidence
on behalf of Wm A Bomble.

Henry H Bomble
R. H. Whitfield
Wm A Bomble

Depositions.

Mrs-

Well I Know that one morning father sent for Mr Rich and H Pulley & Allen Edwards, they counted out ~~the~~ the Money in two bags - in one of which was the note of Jno R Todd, the amount of which Mr Pulley made a Memorandum of on the Memorandum of the amt of the money in one of the bags - that Memorandum is the one marked A & filed with Richd H Pulleys deposition - the other bag contained altogether silver & had a Memorandum of the amt in it - which amt was as well as I recollect about - $25000 - the Memorandum marked (B) herewith filed was the Memorandum in the Bag - He told Wm to take both bags & put them away - they were his to do what he chose with - he said he didn't think he had given him as much as the others & this would make him equal - he said he left him some amount I think ($30000) to go to school but it was not enough - he said boy take care of it - Wm took the bags & put them in my father's chest - I Know that Wm loaned $10000 of this money in my fathers lifetime to Allen Edwards for which I took said Edwards Bond payable to my father, as Wm was under age - my father knew nothing of the loan - I Know that after my fathers death - N.N Womble took into his possession $332.00 of the money given Wm as above - The note of Jno R Todd above mentioned was included by me in a bond from ~~about~~ heirs subsequently taken for a larger amt - made payable to my father - which latter Bond went to my fathers estate after his death - I did this without the knowledge of either my father or Wm, thinking it was best - And further this witness saith not

Signed - Edwin D Womble

($105.40) and which note was in the bag in the aforesaid memorandum. The paper now produced by Wm A Womble & hereunto filed (marked A) is the memorandum referred to - Edwin Womble said he wished to give Wm this as he was under age & his education not completed - that he had not sent him to school as much as the other children & this would make Wm equal to the others - he gave it to him (ie Wm) at that time - he said it was in addition to what he had given him in his will - he told Wm he could take it then or at any time - Wm did not take the bag then - it was put back in the chest, I do not recollect whether by Wm or by his brother Edwin P Womble, both of whom were present - I think, this was about twelve months before Edwin Wombles death - he was sick then but able to be up part of his time - he spoke of the money & bonds in the bag, for Wms education, said he wanted him to spend it in going to school, or if he did not choose in that way in any way he chose - I do not now remember whether there was another bag given to Wm at that time. -

And further this witness saith not.

Signed - Richard H. Pulley

The deposition of Edwin P Womble, taken at the same place, on the same day, before the said commissioner to be read in the same suit, on behalf of the same party.

The said witness being first duly sworn, answers as follows.

Quest 1st By Wm A Womble - State whatever you may know of any Money or bonds given to Wm A Womble by his father

The Deposition of Richard H Pulley, a witness of lawful age, taken on the 19th day of February, 1837 before C B Hayden, one of the Commissioners in Chancery of the Circuit Court of Isle of Wight County, at the office of said Commissioner, to be read as evidence on behalf of Wm A Womble, before said Commissioner, touching certain matters of account referred to said Commissioner for settlement by a decree of the Circuit Court of the County of Isle of Wight, made at the Oct. Term, 1836, in a suit in chancery pending in said court, in which said Wm A Womble, Edwin P Womble, Thomas Hall Adam of Benj F Womble, are Plaintiffs & H H Womble in his own right, & as Executor of Edwin Womble is Defendant.

The witness being first duly sworn, answers & says:

Ques 1st By Wm A Womble - State whatever you may know of any money or bonds given me by my father Edwin Womble in his lifetime?

Ans - Edwin Womble sent for me to ment. Allen Edwards there (I mean at his house) Edwin Womble said he wished to give William some money in dependance of his will - his will had been made not long before - he sent for a bag that had some gold & silver in it & I think there was a bond in the same bag - he requested us to count the money over & set down the amount on a piece of paper, which we did - there was in the bag $83.00 in silver, & $120.00 in gold making $205.00, of which amt there was a Memorandum in writing in the bag, & on this memorandum I note the amount of the note

Womble & others

vs

Womble's Est-

Exhibits returned
with Commissioners
Hayden's Report

Memorandum A
filed with Richard
H. Pulley's deposition

Placed in this Bag 85 ℔ in dollars

ditto in Gold 120

£205

ditto one note 108.40 Sts.

which is in this Bag.

Placed in this Bag in Silver Two hundred & fifty dollars
County by H H Womble June 6th 1848.

Estate of Edwin Womble

with 2/3 Settlement

H. H. Womble Extor.

Womble

v. 1/3 Ext'r.

Womble Extor. Sale

Supt. rule 1936 filed

Exhibit A filed
with Commissioners
Hayden's Report.

"	"	"	"	A. Vellines on a/c		5	86	
"	"	"	"	H. H. Womble "		20	00	
"	"	"	"	A Edwards		104	82	
"	"	"	"	Handy Chapman "		4	00	
1851 Sept.	4	"	Com^rs.	sales of Slaves & Chattle estate due this day		6763	73	$ 9142 54
1852								
Nov.	3	To paid Taxes				20	35	
		" Balance due estate as p^r. Contra				9122	19	$ 548 55
						9142	54	$ 548 55
1851				Cr.				
Nov.	3	By balance due estate last year				9142	54	
1852 Nov.	3	" Interest on to date						548 55
						$ 9142	54	$ 548 55
1853								
Apl.	21	To paid Dr. Summerell medical a/c				5	00	
		" Taxes				22	61	
Nov.	3	" Balance due estate as p^r. Contra				9094	58	1095 88
						$ 9122	19	$ 1095 88
1852				Cr				
Nov.	3	By balance due estate at this date				9122	19	548 55
1853 Nov.	2	" Interest on to date						547 33
						$ 9122	19	$ 1095 88
1853		To paid Clerks tickets					60	
1854 Nov.	2	" Commissions $545.67, interest rec^d. this year						27 28
"	"	" Balance as p^r. Contra				9093	98	1614 27
						$ 9094	58	$ 1641 55
1853				Cr				
Nov.	2	By Amt. due estate last year				9094	58	1095 88
1854 Nov.	2	" Interest on to date						545 67
						$ 9094	58	$ 1641 55
1854								
Nov.	2	Amount due at this date from the Ex^rs.						
		to the Estate of Principal				9093	98	
"	"	"	of Interest			1614	27	
						$ 10708	25	

Commissioners office, Smithfield
May 12th 1855.

"To the Circuit Court of Isle of wight County.

Pursuant to decrees of the circuit Court of Isle of wight County rendered respectively On the 19th day of May 1852, and the 20th day of October 1853. in a suit in chancery depending in Court between Handy Chapman Committee of Charles Edwards, Plaintiff - and H. H. Womble Executor of Edwin Womble Dec^d. Defendant, the undersigned One of the Commissioners of said Court, to whome was referred for Settlement by said decree - the account of H. H. Womble's transactions as Executor of Edwin Womble dec^d. reports to the Court, that on the said 26th day of April 1854. the said H. H. Womble executor of Edwin Womble dec^d. appeared before your Commissioner in obedience to said notice & furnished your Commissioner with only a portion of the vouchers necessary to make up the foregoing a/c. & only supplied him with the same, On the third day of May 1855. and he thereupon from the vouchers furnished him by the said Executor of Edwin womble the Depositions of Richard H Pully, Madison Edwards, William A. Vellines, Handy Chapman, Robert Brewer & Wm Chapman herewith filed - proceeded to State & Settle the foregoing account of the said H. H. Womble's transactions as Executor of Edwin Womble That on the 2d day of November 1854. when the fiduciary year ends - he find a balance due the said estate from the said Executor of Ten Thousand Seven hundred and eight dollars and twenty five cents, ($10708.25) of which One Thousand Six hundred and fourteen dollars and twenty Seven cents ($1614.27) is interest"

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

C. B. Hayden

Copy.

Teste

N. P. Young C.C.

The Estate of Edwin Womble deceased
In account with Henry H. Womble his Executor

1850					
Nov.	4	To paid for bal tax		50	
		" " Taxes	13	62	
		" " Clerks tickets	3	88	
		" " Commissioner of Revenue		75	
		" " A. Edwards Crier at Sale	5	00	
		" " C. Battin a/c	4	20	
		" " W. Hall "	20	78	
		" " Marshall & Britt "		13	
		" " H. H. Womble "		37	
		" " W. A. Sykes "	1	13	
		" " Reuben Butler "	7	25	
		" " Nicholas Edwards "	1	35	
		" " E. P. Womble Services on former year of testators death	65	00	
1851					
Apr.	15	" " Marshall & Britt a/c.	2	16	
Nov.	3	Balance due estate as per contra	9015	92	$9142 34
1850		Cr.			
Nov.	4	By Cash taken for Safe Keeping from testators house before his death, & loaned out including interest to date . . .	$343	63	
Dec.	4	" Amt. due on Womble & Wilsons a/c Sales	60	63	
"	"	" " Lch. H. Chapmans bond	35	42	
"	"	" " Davis Edwards "	107	45	
"	"	" " Allen Edwards "	59	23	
"	"	" " Robert Perkins "	25	38	
"	"	" " Jno. R. Todd due bill	231	13	m.d.u. 105: 40
"	"	" " William Hall's bond	57	34	
"	"	" " Madison Edwards "	131	02	
"	"	" " Henry Chapmans "	44	66	
"	"	" " Isiah Beals "	63	91	
"	"	" " Mills Barlow a/c.	4	50	
"	"	" " H. H. Womble (Lost bond)	530	66	

Agreement A
filed with commissioner
Hayden's Report—

We the undersigned parties to the suit of E. P Hamble & others as Edwin Hambles Exrs, hereby consent that Commissioner Hayden in taking the acc of the transactions of said Executor required to be taken by a decree in said cause, shall take as prima facie correct, subject to be falsified & surcharged by either party, the acc of said Exrs transactions taken by said Commissioner in the former suit of Hardy Chapman as Committee of Chas Edwards as said Exec—

Henry Hollomble

R. H Whitfield & Atty for Plff

of Wm A Womble with said executor shews a balance on the 16th of May 1857 due from said executor to Wm A Womble of $3770.15 — of which $2797.71 is principal & entitled to bear interest from that day. The foregoing accounts were retained in this office ten days after their completion for the examination of the parties.

Given under my hand as commissioner aforesaid the day & year aforesaid —

C. B. Hayden

Time employed by the Commissioner, in writing notices, taking depositions, examining vouchers, stating, settling & repeating the foregoing accounts 48½ hours, Commissioners fee $36.38 charged to the Plaintiffs —

Womble & als
vs
Chandy
Womble's Ex.

Commissioners Hayden's
Report
Aff'd 23rd 1857 folio

Statement A of Advancements to Wm A. Womble by Testator retained by the Executor, H. H. Womble –

1850
Nov 4th Jno R Todds Bond for – 1084 40
Int on to date 22 38
Cash with int on said by Executr 343 63
$474 41

Commissioners office
Smithfield April 25th 1857

To the Circuit Court of
Isle of Wight County:

Pursuant to a decree of the circuit Court of Isle of Wight County, made on the 20th day of October, 1854, in a suit in chancery pending in said court, between Edwin P Womble, Wm A Womble, & Thos Hall Sheriff & committee of the estate of Benjamin F Womble, decd as Plaintiffs & Henry H Womble, in his own right & as Executor of Edwin Womble decd as defendant, the undersigned, one of the commissioners of said court, to whom was referred for settlement by said decree the account of the transactions of the said H. H. Womble as executor of the said Edwin Womble deceased & of the amount due the legatees under the will of said testator, reports to the court that on the 3d day of February 1857 he issued notices against the several parties aforesaid, requiring them to attend the settlement of said accounts before him at his said office on the 19th day of February last; which were returned to your commissioner duly executed. That the Plaintiffs appeared before your commissioner in obedience to said notices, but the defendant not appearing the case was adjourned to the 20th of Feb. when the defendant appeared & supplied the commissioner only in part with materials for said accounts & the matter was for his convenience successively adjourned to the 24th of February, 9th & 21st of March & the 7th of April & thence to the 13th of April, on which ~~last~~ day, the defendant only furnished the necessary materials for the accounts & your commissioner thereupon examined the vouchers, stated & settled the foregoing account

of the transactions of the said H. H Womble, as Executor of Edwin Womble deceased & finds that on the 3d of November 1854, there was due from said Executor, to said estate the sum of $. 11385.40, of which $ 8702.31, is Principal, & $2583.09, is interest. This executorial a/c is based on the former account rendered by said executor in the suit of Hardy Chapman committee of Edwards as Edwin Womble's Executor, herewith filed marked (A) which by consent of the parties marked B, herewith filed your commissioner was to take as correct & subject to be surcharged & falsified by either party. The amount of Advancements to Wm A Womble by the testator in his lifetime, which improperly went in the hands of the Executor & in the former a/c credited to the estate, in this foregoing account are deducted – these advancements mentioned in Statement A, were allowed on the depositions of Richard H Pulley & E. P. Womble, herewith filed, the latter being one of the Plaintiffs in this cause his deposition was only taken read by the consent of the other parties made in writing at the foot of the deposition – The other alterations in the former account were made on evidence furnished by the Plaintiffs & were admitted by the defendant to be correct. The account of Benj F Womble with the said Executor, shews that there is due from the said Executor to the estate of the said Benjamin F. Womble on the 16th of May 1857, the sum of $. 1800.22, of which amount $ 1356.73 is principal & entitled to bear interest from that date – in this account B. F. Womble is charged with $ 752.55 paid for him by the Executor of Edwin Womble as security for B. F. Womble, as the testator by his will so directed. The account of Edwin P Womble, with the said executor shews a balance due from said executor to said E. P. Womble on the 16th of May, 1857 of $. 229.38 of which $ 143.67 is principal entitled to bear interest from that day – in this a/c the amt of E. P. Womble's purchases at the sale, are treated as advancements of his legacy as such was the agreement of the parties. The account

The Estate of Edwin Womble deceased

In account with H. H. Womble his Executor.

1851				
Nov 3	To this amount retained to pay E. P. Womble			
	for advancements for debts of Testator		50 37	
" " "	do to pay Wm A Womble for sixmos.			
	services on farm year of testators death		37 50	
" "	Amt of Disbursements chgd in former A/c		126 62	
" "	Amount to be deducted for advancements			
	by Testator to Wm A Womble in hands of			
	Executor as per Statement A.		474 41	
" "	Balance due Estate as per contra		9146 66	$9835 56
1850		Cr		
Nov 4	By Amount of John R Todds, Bond &			
	true Bill as corrected		305 00	
Dec 4	" do of Womble & Wilsons A/c as corrected		1136 52	
" 5	" Amt of Madison Edwards Bond as			
	corrected		158 72	
" 18	" " Thos Helms Bond		5 54	
Sept 14	" Amt credited in former A/c in which			
	there is no error		8170 35	
1851				
Feb 3	" Amt of Nicholas Edwards Bond.		59 42	$9835 56

			Principal	Interest
1852				
Nov 3	To Disbursements as in former A/c		20 35	
"	" Balance due Estate as per contra		9126 31	548 80
			$9146 66	$548 80
1851		Cr		
Nov 3	By Balance as per foregoing A/c.		9146 66	
1852				
Nov 3	" One years interest on do.			548 80
			$9146 66	$548 80
1853				
Nov 3	To Disbursements as in former A/c.		27 61	
"	" Balance due Estate as per contra		9098 70	1094 38
			$9126 31	$1094 38
1852		Cr		
Nov 3	By Balance as per foregoing a/c.		9126 31	548 80
"	" One years interest on do to date			547 58
			$9126 31	$1094 38

The Estate of Edwin Womble, deceased
In account with H. H. Womble, his Executor.

			Principal	Interest
1854				
Nov 3	To Disbursements as in former A/c		50	27 24
"	" Balance as per contra		9098 10	1815 02
			$9098 70	$1842 30
1853		Cr		
Nov 3	By Balance as per foregoing a/c -		9098 70	1095 38
1854 Nov 3	" One years interest on do -			545 92
			$9098 70	$1842 30
1855				
Mar 15th	To paid amount of execution in H. Chapman Committee of Edwards vs Edwin Womples Executor -		379 31	
"	" Taxes		15 80	
Nov 3	" Balance due Estate as per contra		8702 99	2160 91
			$9098 10	$2160 91
1854		Cr		
Nov 3	By Balance as per foregoing a/c -		9098 10	1815 02
1853 Nov 3	" One years interest on do -			345 89
			$9098 10	$2160 91
1856				
Nov 3	To paid Clerks Tickets		68	
"	" Balance as per contra		8702 31	2183 09
			$8702 99	$2183 09
1853		Cr		
Nov 3	By Balance as per debit		8702 99	2160 91
1854 Nov 3	" One years interest on do -			522 18
			$8702 99	$2183 09
	Amount of Principal due by Executor		8702 31	
	" Interest do -			2183 09
				$11385 40

Statement of Distribution of Assets in hands of Executor on Nov 3d. 1854, under will of Edwin Womble.

		Principal	Interest
1854 Nov 3	Amount of Assets as per foregoing A/c	8702 31	2183 09
	Deduct Wm A Womples legacy of $2000 with interest from one year from testators death	2659	
	Amount for distribution among residuary legatees as follows, to	8437 14	2183 09
	Henry H Womble	2109 28½	670 77½
	" Benj. F Womble	2109 28½	670 77½
	" Edwin P Womble	2109 28½	670 77½
	" Wm A Womble	2109 28½	670 77½
		$8437 14	$8437 14

Benjamin F. Womble
In A/c with H. H. Womble Executor of Edwin Womble deceased -

1850 Oct 7th	To this amount paid G. W. Carroll one of the Executors of J. F. Wenn in payment of Bond to which Edwin Womble was Security for B. F. Womble -	152 53	
1854 Nov 3	" Interest on do to date		270 92
"	" Balance due B F Womble as per contra	1356 73	399 83
		$2109 28	$670 77
1854	Cr		
Nov 3	By Amount due as residuary legatee as per foregoing Statement.	2109 28	670 77
		$2109 28	$670 77
1857 May 11	To Balance due B. F. Womble as per contra	1356 73	443 49
		$1356 73	$443 49
1854	Cr		
Nov 3	By Balance	1356 73	399 83
1857 May 11	" Interest on do to date		43 66
		$1356 73	$443 49
1857 May 11	Amount of Principal due B F Womble -	1356 73	
"	" Interest " do -	443 49	
	Total Amount due - do -	$1800 22	

Edwin P Womble

In A/c with H. H. Womble Executor of
Edwin Womble dec'd -

1855				
Nov 3	To Amt bot at Sale $2015.98, less $50.37 amt			
	due from Executor		1965 61	
1856				
Nov 3	" Interest on do to date -			589 68
"	" Balance due from Executor as per contra		143 61	81 09
			$2109 28	$ 670 77
1856		Cr		
Nov 3	By amount due as residuary legatee		2109 28	670 77
			$2109 28	$670 77
1857				
May 16	To Balance due from Executor as per contra		143 61	85 71
			$143 61	$ 85 71
1856		Cr		
Nov 3	By Balance due from Executor		143 61	81 09
1857				
May 16	" Interest on do to date -			4 62
			$143 61	$ 85 71

1857

May 16	Amount of Principal due E. P. Womble	143 61
"	do " Interest due do	85 71
	Total Amount due E. P. Womble —	$229 38

William A Womble

In Account with H. H. Womble
Executa of Edwin Womble.-

1856				
Nov 3	To Balance due from Executa as per contra		279 71	882 45
			$279 71	$882 45
		Cr		
1851				
Nov 3	By Amount of Advancements retained by Executa		474 41	
"	Intent on do to Nov 3, 1856-			142 32
"	" Amount of Legacy of		200 00	
"	" Intent on do from one year from testator's death to Nov 3, 1856-			65 16
"	" Amt of $37.50, due from Executa less $23.48 bot at sale-		14 02	
"	Int on to Nov 3, 1856-			4 20
1856				
Nov 3.	" Amount of Residuary Legacy-		2109 28	670 77
			$2797 71	$882 45
1857				
May 16	To Balance due from Executa as per contra		279 71	97 244
			$2797 71	$972 44
		Cr		
1856				
Nov 3.	By Balance due from Executa		279 71	882 45
1857				
May 16	" Intent on do to date			89 99
			$2797 71	$972 44
1857				
May 16	Amount of Principal due Wm. A. Womble		279 71	
	do " Intent- do		97 244	
			$3770 15	

Benj F Wombole

To Jno. B. Purdie

1849			Dr.
Jany 1		To Balance due on a/c to date	$ 2.50
185-			
		written Prescription Self, Quinine & Medicine	2.50
			$ 5.00

B F Bamble
To 3 Note
$9.00

$9.00

On demand I promise to pay Allen Edwards the Sum of nine Dollars for Value recev.d for the true payment of which I bind myself my heirs &c. &c. Jointly by these presents as Witness my hand and Seal this 20th day of February 1849.

Benj.a F Wardlaw

Test

Ab. Bellinds

B. F. Womble
Note $10.76
Lem Dato 1st 1849

On demand I promise to pay David, B, Pastures or order the just sum of Ten Dollars and 76¢ for Value Recd, for the payment of which I bind myself my heirs &c. Given under my hand and seal this 1st day Oct 1849

$10.76

B. F. Morris [seal]

N P Young

Commissioner

I B E Women

Note against B. F. Bramble for $13.21 dec 25th Feb
uary 1850 in favour of E. H. Valentine

A. D. Young Esq
Isle of Wight
C. H.

A D Young Esq
Dear Sir

I have B & T Womble's bond for $329.97 cts - dated 20 Dec 1848 - payable in Wentworth
If you wish the bond let me know & I will forward it to you

Respectfully
W H Jordan

Smithfield 10 Sept '57

of Trust in the proceedings mentioned; 2nd An account of any debts paid by the said H. H. Womble as Security for B. F. Womble Secured by said deed; 3rd An account of the debts or demands of any other Creditors of the said B. F. Womble Secured by said deed; 4th An account of all other debts or demands against the said B. F. Womble or his estate; which accounts the said Commissioner shall state Settle & report to Court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated. & Liberty is reserved to the plaintiffs to apply to the Court for further relief against the Securities of the said H. H. Womble as Exor. of Edwin Womble — Should this decree prove unavailing.

A Copy

Test. G. C. Latimer D.C.

T. Rhodes admr of B. F. Womble & others
vs
H. H. Womble &c
Copy Decree

Taken & Recorded this 22 July 1857
Pd. $1.00

Commissioners office, Edgefield Court House
July 22nd 1857

(You are hereby) notified that I have fixed upon the 6th day of August next, at my office, to take the accounts directed by the foregoing decree (except the account of debts against the estate of B. F. Womble dec'd.) at which time & place you are required to attend. Given under my hand as Commissioner of said Court the day and year first aforesaid.

To the parties mentioned in the foregoing decree. A. P. Young com.

We acknowledge service of the above notice.
C. B. Hayden Atty for H. H. Womble

At a Circuit Court held for Isle of Wight County on the 16th. day of May 1857.

Thomas Hall adm.r of B. F. Womble, Edwin P. Womble and William A. Womble Plffs.

against } In Chy.

Henry H. Womble in his own right & as Executor of Edwin Womble Defts.

This Cause came on this day by consent to be again heard on the papers formerly read & on the report of Commissioner E. B. Hayden made pursuant to a decree herein of October term 1856. On the amended Bill of the Complainant Thomas Hall adm.r of B. F. Womble deceased. this day filed by consent of the Court, the Answer of H. H. Womble in his own right & as trustee for B. F. Womble to said amended Bill this day filed by like consent, general replication thereto & on exhibits filed, And was argued by Counsel. On consideration whereof, the Court confirming said report to which no exceptions was filed; doth adjudge order and decree that the defendant H. H. Womble do pay to the plaintiff E. P. Womble the Sum of Two hundred and twenty Nine dollars & thirty Eight Cents with interest on $143. 67 part thereof from May 16th. 1857. until paid; To William A Womble the Sum of Three Thousand Seven hundred and Seventy dollars & fifteen Cents, With interest on $2797. 71 part thereof from May 16th. 1857. till paid. But the said plaintiffs are not to have the benefit of this decree until they shall enter into bond with Sufficient security in the Clerks office of this Court payable to the defendant H. H. Womble Executor of Edwin Womble dec'd. in a penalty equal to double the Sums decreed to them respectively, with Condition to refund their proportions of any debts or demands which may afterwards appear against the estate of his testator & the Costs attending the recovery of the said debts or demands; And the Court doth further adjudge order & decree that the defendant H. H. Womble do pay the Costs of this suit; And that a Commissioner of this Court take the following Accounts, 1st An account of the Assumit due to H. H. Womble on the bond of B. F. Womble recited in the deed

Womble & als.

vs. Cond. Rept.

Wombles Exor. &c.

Sept. 16. 1857 filed

Plaintiffs, and Henry H. Womble in his own right and as executor of Edwin Womble dec'd. Defendant. The undersigned, one of the Commissioners of said Court, to whom were refered for settlement, by said decree, the following accounts - first. An account of the amount due to H. H. Womble on the bond of B. F. Womble recited in the deed of Trust in the proceedings mentioned. Second. An account of any debts paid by the said H. H. Womble as security for B. F. Womble, secured by said deed. Third. An account of the debts or demands of any other creditors of the said B. F. Womble, secured by said deed. Fourth. An account of all other debts or demands against the estate of the said B. F. Womble or his estate, Reports to the Court, that on the 22nd. day of July 1857, he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said accounts, before him, at his office, on the 6th day of August last, which were returned to your Commissioner executed by the acknowledgment of service of the parties & their attorneys. That the parties failed to attend according to said notices, and the taking of said accounts was continued from day to day, until the date of this Report, and he then in presence of Counsel, made the foregoing accounts Numbered 1. 2. 3. Account No. 1. Shews the sum of $1410. 27 due to H. H. Womble on the bond of B. F. Womble secured by the deed of trust in the proceedings mentioned, up to the 18th. day of October 1857 - of which sum $492: 34 is interest. Account No: 2. Shews the sum of $224: 86 paid by the said H. H. Womble as security for B. F. Womble on debts secured by the deed of trust aforesaid, up to same day, of which sum, $64: 69 is interest. Account No: 3. Shews the sum of $294. 58 due to the other creditors of said B. F. Womble secured by the deed aforesaid, on the same day, including interest. Your Commissioner further reports that notice to all other creditors of said B. F. Womble, was posted by him at the door of the Courthouse of said County according to law requiring them to appear before him at his office, on the 10th of September 1857, and prove their claim or demands, but that no claim, other than those secured by the trust deed aforesaid, & which are reported above, has been presented to your Commissioner. The accounts aforesaid were retained by your Commissioner, in his office, ten days before they were reported. Given under my hand as Commissioner of said Court the day and year first aforesaid.

N. D. Young

Time employed by the Comm'r. in issuing notice, taking evidence & stating Reporting accounts - 14 hours - $10. 50 charged to Pltffs.
Sheff. for serving Two notices 1 00 N. D. Young Comr.
$11. 50

An account of the amount due to Henry H. Womble on the bond of Benjamin F. Womble recited in the deed of trust in the proceedings mentioned.

	A bond due to Henry H. Womble on the 30th day of May 1850	977 33	
	Interest thereon to 18. October 1857	432 94	
			$1410 27

An account of any debts paid by Henry H. Womble as security for Benj.a F. Womble, secured by the deed of trust referred to.

1852				
May	1	Paid Arch.d Atkinson on bond	37 80	
		Interest thereon to 18th October 1857	12 38	50 18
1850 Sept.	2	Paid C. F. Wrenn assignee of Reuben Butler on Eyon:	122 37	
		Interest thereon to same time	52 31	174 68
				$224 86

An account of the debts or demands of any other creditors of Benjamin F. Womble, secured by the deed of trust aforesaid.

A Bond due D. B. Lasteur on 1st. October 1849	10 76	
Interest thereon to 18th. Octo. 1857	5 19	15 95
Bond due Allen Edwards 20 cts. Feby. 1849	9 00	
Int. as above	4 68	13 68
Bond due E. H. Valentine on 25th Feby. 1850	13 21	
Interest as above	6 16	19 37
Bond due William H. Jordan on 20th. Dec. 1848	29 97	
Interest as above	15 88	45 85
Bond due Messrs. Thomas & Adams on 7th. May 1846	332 58	
Interest thereon as above	228 95	561 53
Bond due Same apes: of J. B. Whitehead 31. Dec. 1846	134 00	
Interest thereon as above	86 82	220 82
Bond due Same apes. of G. W. Cardle on 1st. Jany. 1843	70 00	
Interest as above	62 13	132 13
Bond due Same apes. of Wm. D. Bailey 1. Jany. 1843	60 00	
Interest as above	53 13	113 13
Bond due Jno. E. Adams 1st. Jany. 1846	20 00	
Interest as above	9 75	29 75
Balance on judgment in favor of Levi Godfrey 26. Sept. 1845	23 46	
Interest as above	16 95	40 41
An acct. in favor of Thomas Adams for	66 80	192 61
Int. from 1. Jany. 1849	35 16	101 97
		$1294 58

Commissioners Office Isle of Wight Courthouse.
September 5th 1857.

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 16th day of May 1857, in a suit in Chancery depending in said Court between Thomas Hall Supt. & Administrator of Benjamin F. Womble dec'd; Edwin B. Womble and William A. Womble

Womble &als.

&c. Cond. Supt.
&c. Indictment of
May 1859

Womble &for. &als.

April 4th. 1861 filed.

An account shewing the respective amounts due the several creditors of Benj.a F. Womble decd. out of the balance of the fund named in the decree of Octo. term 1857.

Amount decree'd. of B. F. Womble as per said decree		1800 22
Interest on $1356:73 part thereof from 16. May to 18 Oct. 1857		33 91
		$1834 13
By first amt. due H. H. Womble under said decree	1410 27	
Int. on $977.33 part thereof from 18. May 1857	16 43	
By Second amt. due H. H. Womble under decree	224 86	
Int. on $160:17 part thereof as above	4 00	165 56
		178 57
Deduct costs unpaid to final decree		10 12
Net amt. to be distributed between creditors		$1684 5

as follows viz:

	Amt. of Claim.	Prorata Amt.
To D. B. Parker	15 95	209 168 45
" L. B. Edwards adm.r of Allen Edwards	13 68	1 79
" E. H. Valentine	19 37	2 55
" William H. Jordan	45 85	5 98
" Thomas J. Adams	561 53	73 51
" Do. as adm.r of J. B. Whitehead	220 82	28 72
" Do. as " " Eps. W. Carroll	132 17	17 20
" Do. as " " Wm. O. Bailey	113 13	14 72
" Do. Do.	101 97	13 27
" John E. Adams	29 25	3 82
" Levi Goodloe	40 41	5 30
	$1294 13	$168 45 $168 45

Commissioners Office, Isle of Wight Courthouse.
March 23d. 1861.

To the Circuit court of Isle of Wight county.

Your commissioner reports to the court that, in pursuance of a decree of the court, rendered on the 18th day of May 1859. in the suit of Edwin P. Womble, William A. Womble & others against Henry H. Womble Ex.r of Edwin Womble decd. and in his own right, and after due notice to the parties interested, he proceeded to make, and finished the foregoing statement shewing the pro rata amount due the creditors of Benjamin F. Womble decd., out of the funds in the hands of Henry H. Womble under the decree of October term 1857. Which said pro rata amounts, respectively, carry interest from the 18th of May 1857.

Your Com.r in making the said statement, your commissioner after deducting the amts. decreed first to H. H. Womble, then deducted $10.12 the costs of the suit yet unpaid, as will be seen by the statement above.

Given under my hand as a commissioner of the said court, the day & year first aforesaid.

N. P. Young

Cost. fee $4:50. Chg.d to Creditors.

Humble Mas
1. Decree

Humble Exr. of Mas

Sd. to me
R. H. Baker
Dec. ca. 1815.

~~James Hall adm of B. H. Wamble~~

Edwin P and William A Wamble }
vs. }
Henry H Wamble in his own right & as Exr of Edwin Wamble dec'd & ~~James Hall~~ } ~~adm of Ben H Wamble dec'd~~

This Cause came on this day to be heard on the Bill, taken for confessed as to the defendant Henry H Wamble in his own right & as Executor of Edwin Wamble dec'd, on whom proces has been duly served, he still failing to appear and plead, answer and demur to said Bill, ~~on the application of the defendant James Hall adm of the estate of Benjamin H Wamble dec'd with leave to file exceptions thereto~~ on the exhibits & examination of witnesses, and was argued by Counsel. On Consideration whereof the Court doth order, adjudge and decree, that the said Henry H Wamble as Executor as aforesaid, do render an account of his transaction as Executor aforesaid, before one of the Commissioners of this Court ~~who is directed to examine state and settle the same~~ thereon. The amounts due to the said parties, entitled respectively to the same, under the last Will & Testament of the said deceased, and make report thereof to the Court, with any matter specially stated, deemed pertinent by him, or which may be required by any of the parties to be so stated.

3dly - An account of the debts & demands of any other creditors of the said B. F. Wamble, secured by said deed -

4thly - An account of all other debts & demands against the said B. F. Wamble, or his estate; which accounts the said commissioner shall state, settle & report to Court, with any matters specially stated deemed pertinent by himself or required by the parties to be so stated & Liberty is reserved to the Plaintiffs to apply to the court for further relief against the securities of ~~the said~~ D. N. Wamble as Executor of Edwin Wamble, should this decree prove unavailing -

Wamble
&
Wamble's
Exrs &c
} In Chancery

Rec'd Decree
May Term 1837

To be entered -
Reid & Baskerville

Womble's Adm'rs
vs
Womble's Exec'rs

This cause came on this day by consent to be again heard, on the papers formerly read, on the report of Commissioner C B Hayden made pursuant to a decree herein of Oct Term 1854, on the Amended Bill of the complainants Thomas Hall Adm'r of B.F. Womble deceased, this day filed by consent of the court, the answer of N. N. Womble in his own right & as Exec'r per B.F. Womble to said amended bill, this day filed by like consent, general replication thereto & an exhibit filed & read & argued by counsel; on consideration whereof the court confirming said report, to which no exception was filed doth adjudge order & decree that the defendant N.N Womble do pay to the plaintiff, E. P. Womble, the sum of $229.38 with interest on $143.47, part thereof from May 15th 1837 until paid, to Wm. A. Womble, the sum of $3770.15, with interest on $2771.71, part thereof from May 15th 1837, until paid - but the said plaintiffs are not to have the benefit of this decree until they shall enter into bond with sufficient security, in the Clerk's office of this court payable to the defendant N. N. Womble Exec'r of Edwin Womble deceased, in a penalty equal to double the sums decreed to them respectively, with condition to refund due proportions of any debts or demands which may afterwards be proven against the estate of his testator, & the costs attending the recovery of such debts or demands & the court doth further adjudge, order & decree that the defendant N.N. Womble do pay the costs of this suit & that a commissioner of this court take the following accounts;

1st - The account of the Amount due to N.N. Womble on the Bond of B.F. Womble recited in the deed of Trust in these proceedings mentioned -

2nd The account of any debts paid by said N.N. Womble as security for B.F. Womble, secured by said deed -

X

Womble stats
vs
Womble Ex

In
Chancery

Rough decree
October Term 1857
To be entered
R. H. Baker

20 [illegible] Exhibits

1368
13
4104
1368
17784

1595
13
47850
1595
20735

1937
13
58111
1937
25848

25885
13
137853
45885
59605

52163
13
168459
56153
229989

22082
13
662466
22082
287048

13217
13
89651
13217
171821

11313
13
33939
11313
147069

10197
13
30591
10197
132561

2925
13
8775
2925
38025

4041
13
12123
4041
52533

Thomas V. Adams $561.53/100 Dollars with interest on
$332.57/100 Dollars from same date to the same
as assignee of Joseph B. Whitehead $220.82/100 Dolls,
with interest on $134 from same date to the same
as assignee of George W. Carroll $132.12/100 Dollars
with interest on $70 from same date to the same
as assignee of William D. Bailey $113.13/100 Dollars
with interest on $60 from the same date & the same
$101.27/100 with interest on $66.2/100 Dollars from same date
to John C. Adams $29.25/100 Dollars with interest on
twenty Dollars from same date to Levi Gwaltney
$40.41/100 Dollars with interest on $23.46/100 Dollars from
same date which report the Court of this Process
in due time, & the Court doth

Wombl et als
vs
Wombl's Extor &c. Defts.

This cause came on this day to be again heard on the papers formerly read & on the report of Comr. A. P. Young made pursuant to a decree herein of May Term 1857 & was argued by Counsel in consideration whereof the Court confirming said report to which no exceptions were filed doth adjudge order & decree that the defendant Henry A. Wombl Extor. of Wm Wombl dec'd out of the sum of Eighteen hundred dollars & twenty two cents with interest on $1356.13/100 Dollars part thereof from May 18th 1854 shewn by the report of Comr. Naylor heretofore made in this cause (Executor aforesaid) 1860 due from him as Executor aforesaid to Benjamin F. Wombl dec'd, that he retain the sum of $141.10.27/100 Dollars with interest on $977.33/100 Dollars from October 18th 1857, & that he retain the further sum of $224.8/100 Dollars with interest on $160.47/100 Dollars part thereof from same date in satisfaction of the amounts shewn by the report aforesaid to be owing under the deed of trust from the said B. F. Wombl in the proceedings mentioned & the Court doth further adjudge & decree that the said Henry A. Wombl pay the balance of said fund due B. F. Wombl ratably among the creditors of the said B. F. Wombl according to the respective amounts shewn by the report aforesaid to be due them to wit to D. B. Parker $15.95/100 Dollars with interest on $10.7/100 Dollars part thereof from October 18th 1857 to the order of Allen Edwards $13.68/100 Dollars with interest on $9— from the same date to E. A. Valentine $19.37/100 Dollars with interest on $13.7/100 Dollars from the same date to William A. Jordan $45.85/100 with interest on $29.9/100 Dollars from same date to

Womble
et als —
vs
Wombles
Etc et als

Rough Memo

May Term 1838

To be entered—

R. H Baker

Entered

Womble & als
vs
Wombles Ex & als

This cause this day came on to be again heard on the papers formerly read & was argued by counsel, ~~on consideration~~ ~~whereof the court~~ & for reasons appearing to the court it is ordered that the defendant H. H. Womble appear at the next term of this court & shew cause why an attachment should not issue against him for failing to comply with the decree herein of October Term 1837 requiring him to pay the balance of the trust fund in his hands ratably among the several creditors mentioned in said decree -

Double
Lots
vs
Doubles
Ex Lots

In Chancery

Rough draft
May Term 1859
To be entered —
R. M. Baker

Womble & als

vs

Womble's Exr & als -

This cause came on this day to be again heard on the papers formerly read & was argued by counsel & for reasons appearing to the court it is ordered that the defendant H. H. Womble appear at the next term of this court & shew cause why an attachment should not issue against him for failing to ~~comply~~ with the decree herein of Oct term 1837, requiring him to pay the balance of the trust fund in his hands ratably among the several creditors mentioned in said decree & that a commissioner of this court make up an account shewing the ~~the~~ several amounts due the several creditors named in said decree out of the balance of the fund named in said decree, which account the said commissioner shall take, settle & report to court with any matters specially stated deemed pertinent by himself or required by the parties to be so stated -

Wombwell } In
Wombwell } Chancery
Endorsed }

Bond for Answer
May Term 1861
To be entered
R. H. Baker

6th Cert.

Womble & als
vs
Womble Exr
& als —

This cause this day came on to be again heard on the papers formerly read & on the report of Commissioner A P Young under the decree herein of May Term 1857 & was argued by Counsel on consideration whereof the Court confirming said report to which no exceptions were filed doth adjudge order & decree that the defendant H H Womble pay to the several creditors mentioned in said report the respective sums shown by said report to be their pro rata portions of the assets in the hands of said H H Womble as Trustee of B F Womble & the Court doth further adjudge order & decree that said H H Womble pay the unpaid costs of this suit

In Isle of Wight County Court Nov. 4th 1850. The last will & testament of Edwin Womble dec'd was presented in Court by Henry H. Womble the Executor therein named & proved by the oaths of N. H. Terry and Hardy Chapman the subscribing witnesses thereto & was ordered to be recorded. On the motion of Henry H. Womble the executor therein named who made oath and with Faithful Edwin T. Womble, Henry Callede, Wilson Hileman, John B. Perdin and Allen Edwards his securities (who were duly qualified) entered into and acknowledged a bond in the penalty of fifteen Thousand dollars, Condition as the law directs, Certificate is granted him for obtaining a probat of said will in due form of law.

A Copy
Teste

E. C. Latimer DC.

E. Womble will

Womble
vs
Womble Exor &c
Filed Oct 1st 1856

In the Name of God Amen, I Edwin Womble of the County of Isle of Wight & State of Virginia, do make and ordain this my last will & Testament in manner & form following to wit,

I Give and bequeath to my Son Edwin Henry Womble the plantation I now live on including the Land I purchased of Joseph Turner, upon the condition that he pays to his brother Henry H. Womble the sum of Eight hundred dollars to him & his heirs forever, I give & bequeath to my Son William Woodland Womble the balance of my real estate, except the Land on which the School house is situated & which I purchased of Elliott Moody also the sum of two hundred dollars in cash to him & his heirs forever. I give and bequeath to my Son Benjamin F. Womble all the claims I owe him against him, which claims amount to Eight hundred dollars. The residue of my estate of every description, I wish my executor herein after named to sell as soon as possible after my death, (but after the payment of my just debts and liabilities,) I desire the balance to be equally divided between my four Sons, Henry H. Womble, Benjamin F. Womble, Edwin P. Womble and William F. Womble, But I herein direct that if on my Son Benj.a F. Womble shall receive his portion of his legacy my executor shall deduct from his portion any and all money for which he may be bound as his security or which I may pay for him as security.

I constitute & appoint my Son Henry H. Womble my Sole and whole executor to this my last will & Testament, hereby revoking all other Wills heretofore made by me

In witness whereof I have hereunto set my hand & affixed my seal this 28th day of June 1848.

Signed sealed, published & declared as the last will & Testament of the above Edwin Womble in presence of

A.P. Young
H. Chapman

Edwin Womble (Seal)

Benjamin F. Womble

to

Henry H. Womble

May 30th 1850. acknd and A.R.

Recorded B. 38. p. 43

= to sell the property or s[d] interest, and distribute the fund, to save costs & charges, and being much the surest creditor will be induced to increase the fund for the benefit of all the creditors: ~~To determine~~: the said Henry Hendren trustee is hereby authorized to sell the said interest or property, on such terms, or reasonable notice thereof, as will in his opinion be most for the interest of the creditors &c.

In testimony whereof the parties to these presents have hereunto set their hands & seals the day & year first above written.

= Sign'd, seal'd & deliver'd in the presence of us - Test:

Benj[a] G. Wamble [Seal]

Henry H. Wamble [Seal]

In the Clerk's office of Dearfield County Court May 31st 1860 this deed was acknowledged by the parties hereto & admitted to record.

Test

W. D. Jones - C.C.

An Indenture made this the 30th May 1850, between Benjamin F. Trimble of the first part, and Hiram Trimble of the second part: all of the County of Va. Witnesseth: That whereas, the said Benjamin F. Trimble is justly indebted to the said H. Hiram in the sum of nine hundred and seventy seven dollars and thirty three cents, as by Bond bearing date the 1st Jany. 1850, will more fully appear, which he the said Benjamin F. Trimble is desirous of securing the payment of, with the accruing interest, costs, harm or damage to the said Hiram, and all other debts for which he the said H. Hiram Trimble is bound for him: and with as little costs as possible: Therefore this indenture witnesseth, that for and in consideration of the premises and the further consideration of One dollar in hand paid by the said Benjamin F. Trimble to him the said H. H. Trimble, before the execution of this indenture: the receipt whereof is hereby acknowledged &c: He the said Benjamin Trimble, by these presents does hereby grant bargain, sell, convey, transfer, set over, release, assign unto the said H. H. Trimble and his heirs forever, all of his the said Benjamin Trimble's interest, of all sorts or kinds, in or to the estate of his late father Benjamin Trimble dec'd whether the same, of what kind, character or nature, real, personal, or mixed, come to or vest in him the said Benjamin F. Trimble, by the will and testament of his said father, or by the laws of descents and distribution, or in any other mode or form derivable through or from his said father as legatee, devisee, distributee or otherwise: To have & to hold the same, to wit: all of the said property, and all of his said interest and title in any form derivable as aforesaid by him the said Benjamin F. Trimble, in or to or from his said father's estate, by will, descent, or distribution or otherwise as aforesaid; to him the said H. H. Trimble and his heirs forever, with all the privileges and appurtenances to the same in any way pertaining &c: But for the following purposes & objects: That he said H. H. Trimble shall as soon as convenient & he reasonably can, sell and dispose of the said interest or property coming to the said Benjamin as aforesaid, and with the proceeds first pay the said debt of $977.33 cts: and interest thereon due, and all other debts, for which he the said Hiram is bound as surety or otherwise for the said Benjamin F. Trimble if any: 2dly the next and second place pay all other debts owing by him the said Benjamin F. Trimble to all his other creditors in equal portions, or pro rata - if not sufficient to pay all - and which may be presented in a reasonable time, say twenty months, after due notice, by advertisement at the door of the C. House of Jefferson Co. - and the balance if any, shall pay over to the said Benjamin F. Trimble. It being however understood, that all costs & charges attending the execution of this Trust, are to be deducted & paid before any distribution of the funds is made: The said H. Hiram Trimble is selected as trustee for this object; and

C. H. Womble

to Trust Deed

H. H. Womble Trustee

A. Copy

Exhibit E to
with Amended Bill

Benjamin F. Womble to all his other Creditors - in equal portions or proportions, if not Sufficient to pay all, and which may be presented in a reasonable time, Say twelve months after due Notice, by advertisement at the door of the Court House of Isle of Wight County, And the balance (if any, Shall pay over to the Said Benjamin F. Womble - It being however understood, that all costs & charges attending the execution of this trust, are to be deducted & paid before any distribution of the fund is Made: The Said H. H. Womble is Selected as Trustee for this Object; (and to Sell the said property or Said interest, and distribute the fund, to Save costs & charges, and being Much the Largest Creditor: The Said H. H. Womble is hereby authorized to Sell the Said interest or property, On Such terms - or reasonable Notice thereof - as will in his opinion - be Most for the interest of the Creditors &c. In testimony whereof the parties to these presents have hereunto Set their hand & Seals the day and year first above written

Signed - Sealed & delivered
in the presence of us Teste.

Benjn. F. Womble (Seal)
Henry H. Womble (Seal)

In the clerks office of Isle of Wight County Court, May 30th. 1850.
this deed was acknowledged by the parties thereto & admitted
to record.

Teste. N. P. Young Cl

A copy

Teste. F. C. Latimer D.C.

This Indenture Made This the 30th. day of May 1850. between Benjamin F. Womble of the first part, and Henry H. Womble of the second part, All of Isle of Wight County Va. Witnesseth, That Whereas the said Benjamin F. Womble is justly indebted to the said Henry H Womble in the Sum of Nine Hundred and Seventy Seven Dollars & Thirty three Cents, As by bond bearing date the 1st. Janry. 1850, will more fully appear, Which the said Benjamin F. Womble is desirous of securing the payment of, With the accruing interest Without harm or damage to the said Henry H. Womble and all other for which the said Henry H. Womble is bound for him, and with as little Costs as possable &c, Wherefor This Indenture Witnesseth: That for and in Consideration of the premises, The further Consideration of One Dollar in hand paid by the said Benjamin F. Womble to him the said Henry H. Womble before the Execution of this Indenture the receipt whereof is hereby Acknowledged; He the said Benjamin F. Womble by these presents does hereby grant bargain Sell Convey Transfer Set over, release, and assign unto the said H. H. Womble and his heirs forever, all of his the said Benjamin F. Womble's interest of all Sorts & Kinds, in & to the estate of his late Father Edwin Womble Decd: When the Same of What Kind, Character or Nature real or personal or mixed Come to, or vest in him the said Benjamin F. Womble by the will and Testament of his said Father or by the Law of descents and distribution, or in Any other Manner or from derivable through or from his said Father, as legatee devisee, distributee or otherwise as aforesaid, to him the said Henry H. Womble & his heirs forever; with all the priviliges & Appurtenances to the Same in any Way Appertaining &c, But for the following purposes or objects, That the said Henry H. Womble shall as Soon as convenient, & he reasonably Can, Sell & dispose of the said "interest or property Coming to the said Benjamin F. Womble as aforesaid, and with the proceed, first pay the said debt of $977: 33, and interest thereon due, And all other debts for which he the said Hiram is bound as Security or otherwise for the said Benjamin F. Womble, if any, (Dis.) the next & Second place, pay all Other debts owing by him the said

Wm. A. Hamblin
vs. 3 Ref. S. Bond

A. A. Hamblin vs

Exhd. & filed Octo. 15th
1867.
N. D. Young cl.

Know all men by these presents, that we William A. Womble and Edwin D. Womble are held and firmly bound unto Henry H. Womble executor of Edwin Womble dec'd in the sum of Seven Thousand & six hundred dollars $7600.00 for the true payment of which we bind ourselves & heirs, jointly and severally firmly by these presents, as witness our hands & seals this 14th day of October 1857.

Whereas by a decree entered at the May Term of the Current Court of Isle of Wight County, in the case of Hall adm. of Womble, & Wm A & Edwin D. Womble against Henry H. Womble in his own right & as Executor of Edwin Womble dec'd, it was ordered and decreed that the said Henry H. Womble pay unto the said William A. Womble the sum of Three Thousand seven hundred & Seventy dollars & fifteen Cents ($3770.15) with interest on $2797.71 a part thereof, from 16 May 1857, until paid — upon the execution of a refunding bond by the said Wm A. Womble to the said Henry H. Womble Executor as aforesaid, with the condition therein said decree mentioned. Now the condition of this Obligation is this, that if any part, or the whole of the said sum of money so decreed to be paid to the said William A. Womble as aforesaid, (supposing the same to have been received by him) shall at any time, after the payment thereof as aforesaid, be needed to discharge any debts, or demands against the estate of the said Edwin Womble dec'd, which the said Executor shall not have assets to pay, then and in such case if the said William A. Womble or his representatives shall refund his due proportion of the said sum decreed to him or the whole if required to pay such debts or lawful demands which may appear as aforesaid against the estate of the said Edwin Womble dec'd, with the costs attending the recovery thereof, to the said Executor (H. H. Womble) or his representatives, then the above Obligation to be void, else to remain in full force and virtue. Witness our signatures & seals, on the day and year first above mentioned.

Wm A. Womble (seal)

E. D. Womble (seal)

Witness
N. P. Young

E. P. Middleton
to
J. Ferrell Esq

Executed & filed
13th Octs. 1857.

N. P. Young cd.

Know all men by these presents, that we Edwin P. Smith and William A. Smith — are held and firmly bound unto Henry H. Smith executor of Edwin Smith dec'd. in the sum of five hundred Dollars - for the true payment of which we bind ourselves & our heirs, jointly and severally firmly by these presents: Whereas, by a decree entered at the May Term of the Circuit Court of Isle of Wight County, in the Case of Hall admr of Smith, William A. & Edwin P. Smith, against Henry H. Smith executor of Edwin Smith dec'd & in his own right, it was ordered and decreed, that the said Henry H. Smith pay to the said Edwin P Smith the sum of $229.38 cts with Interest on $143.67 part thereof, from the 18th of May till paid — upon the condition of the execution of a supersedeas Bond to the said Executor with the condition in said decree mentioned. Now the Condition of this Obligation is this, that if any part, or the whole of the said sum of $229.38 cts shall after the payment thereof, at any time be required to discharge any debt, or lawful demands against the estate of the said Edwin Smith dec'd, which the said Executor shall not have other effects to pay; Then and in such case if the said Edwin P. Smith, or his representatives shall refund his due proportion of the said sum, or the whole of it, if required to pay such debts, or demands with the Costs attending the recovery thereof which may appear or appertain against the Estate of the said Edwin P. Smith to the said Executor or his representative, Then the above Obligation to be Void, else to remain in full effect & Virtue - Witness our signatures and seals this the 14th day of October 1857.

E P Blanchard (Seal)

Wm A. Wornom (Seal)

E. H. Arnold & als.

vs. Ejectment Recovery

H. H. Arnold Esq. of
Christian Arnold Dec'd.

A Copy

At a Circuit Court continued and held for Isle of Wight
County on the 20th day of October 1836 —

Edwin J. Womble, William A. Womble (and Thomas Hall Exff
& Committee of the Estate of Benjamin F. Womble dec'd. Pltfs

Against In Chancery.

Henry H. Womble in his own right, & as Executor of the last will
and testament of Edwin Womble dec'd. Deffts

This Cause came on this day to be heard on the Bill, taken
for Confessed as to the defendant Henry H Womble in his own right
and as Executor of Edwin Womble dec'd: on which process has
been duly served, he still failing to appear and plead Answer
& demur to said Bill: On the exhibits and examination of witness
and was argued by Counsel: On Consideration whereof the Court
doth order adjudge and decree That the said Henry H. Womble
as Executor as aforesaid do render an account of his transac-
tions as Executor aforesaid — before one of the Commissioners of
this Court, shewing the amounts due to the said parties respectiv-
ly entitled to the same under the last will and testament of the
said decease — which account said Commissioner will report
to Court, with any matter specially stated deemed pertinent
by himself — or which may be required by any of the parties
to be so stated. —

A copy

Teste

A. P. Young c.

Service acknowledged —

R. P. Hamblin
Atty —
for
H. N. Hamblin
Exr of Edwin
Hamblin dec'd
now respt —

Pennsylvania Probate —

Isle of Wight County, to wit.

I A. Atkinson —
a justice of the peace for the county aforesaid
hereby certify that on this day Thos. R. Smallwood
appeared before me in said county & made oath
that on the 4th day of February, 1857, he delivered
a copy of this notice to the within named H. N. Hamblin,
Given under my hand this 11th day of Feb. 1857

A. L. Atkinson

Commissioners Office
Smithfield February 3d 1837

To Henry A Womble, in his
own right, & as Executor of the
last will & testament of Edwin
Womble deceased, Edwin P
Womble, William A Womble
& Thomas Hall Sheriff & committee
of the estate of Benjamin F Womble
deceased.

You are hereby notified
that I have fixed upon the 13th instant to take &
settle at my office the account of the transactions
of the said Henry A Womble, as Executor of Edwin
Womble deceased, & of the amounts due the parties
aforesaid legatees under the will of said Edwin
Womble deceased, required to be taken by the decree of
Isle of Wight Circuit Court rendered on the 20th
day of Oct, 1836, in a suit in chancery depending
in said court in which you are parties Plaintiffs &
Defendants, at which time & place you are required
to attend.

Given under my hand as Commissioner of said
court the day & year first aforesaid.

C B Hayden

I acknowledge service of the within notice

R H Whitfield atty

for Edwin P. Womble, William A. Womble & Thomas Hall Sheriff
& Committee of the estate of Benjamin F Womble dec'd

Ackd the receipt of a copy of the within notice.
Dated as by Sheff. Henry H Womble
Respondent's Atty
J. Stanly

Womble Admr &c
vs.
3 Notes.
3
Womble's Exr.

Commissioners Office Isle of Wight
July 22nd 1857

To Thomas Hall Admr. of Benjn. F. Wumble dec'd.
Edwin F. Womble William A. Womble, and Henry
H. Womble Executor of Edwin Womble dec'd. —

You are hereby notified that I have fixed upon the 6th. day of August next, if fair, if not on the next fair day thereafter to take and state at my office, the following accounts - 1st: an account of the amount due to Henry H. Womble on the bond of B. F. Womble, recited in the deed of trust in the proceedings mentioned. 2nd: An account of the debts paid by the said H. H. Womble as Security for B. F. Womble, secured by said deed. and 3rd: an account of ~~any~~ the debts or demands of any other creditors of said B. F. Womble secured by said deed, directed to be taken by the Circuit Court of Isle of Wight County, in a suit in chancery depending in the said Court, wherein the said F. Hall Admr. aforesaid E. P. Womble and Wm. A. Womble are plaintiffs and the said H. H. Womble Defendants. at which time and place You are required to attend.

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

J. P. Young Comr.

Womble Dals.

3 Sund. to ..

D. 3 Shun Cours

Womble

=

To Octo. Ct. 1838

Exr. to Wm Womble's Admrs. & H. H. Womble

Exrs copy of this written

Jas. O. Ayer Atty

Oct. 9th 1858

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

YOU ARE HEREBY COMMANDED TO SUMMON Henry H. Womble

to appear before the Circuit Court of Isle of Wight County, at the Court-House of said County, on the first day of October term next, to Show Cause why an attachment should not issue against him for failing to comply with the decree of October term 1857 in the suit of E. P. Womble &c. v. him as exor. of E. Womble, requiring him to pay the balance of the trust fund in his hands, totally among the several creditors in the decree mentioned and have then and there this Summons. *Witness*, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this 5th day of October 185 8, in the 83d year of the Commonwealth.

N. P. Young c.c.

E. P. Womble adm.
vs. Sund. To
Shaw Dec'd

H. H. Womble

To Octo. Cir. Ct.
1859.

Executed and a true
Copy hereof delivered
to H. H. Womble
Septr. 28th 1859
Jos. P. Gray
Shff

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

YOU ARE HEREBY COMMANDED TO SUMMON Henry H. Womble

to appear before the Circuit Court of Isle of Wight County, at the Court-House of said County, on the first day of October term next, to Show cause why an attachment should not issue against him for failing to comply with the decree of October term 1857, in the suit of E. P. Womble & others against him as Exor. of Edwin Womble & others, requiring him to pay the balance of the trust fund in his hands, ratably among the several creditors of Benj.a F. Womble ~~dec'd~~ mentioned in said decree and have then and there this Summons. *Witness*, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this 15th day of September 1859, in the 84th year of the Commonwealth.

N. P. Young c.c.

Womble Exor. Dols.

Womble Dols.

vs. Thos. S. Osborne

Womble Exor. Dols.

Brandreth. Well. We accept service of a copy of the within notice.

Thos. S. Osborne

attorneys for the Plffs. & defts.

Commissioner's Office,

ISLE OF WIGHT COURT HOUSE.

March 1st 186 /.

To Wm A. Womble, Edwin P. Womble & Thomas Hall Exrs. & Comrs. of B. F. Womble decd. } **Plaintiffs.**

and to Henry A. Womble Exor. of Edwin Womble decd. & in his own right } **Defendants.**

You are hereby notified, that I have fixed upon the 23d day of March 186/, to take and settle the following accounts, at my office, to wit;

First, an account of the amounts due the several creditors of Benj. F. Womble decd. out of the balance of funds in the hands of Henry A. Womble as appears by decree of Octo. Term 1859.

required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered on the 18th day of May 1859 —186—, in a suit in Chancery depending in the said Court, in which you are parties, Plaintiffs and Defendants; at which time and place you are required to attend. Given under my hand, as Commissioner in Chancery of said Court the day and year aforesaid.

N. P. Young Comm.