

1869-008

Chancery Causes: Norman Hines & ux & William J. Underwood, by & c vs John C. Underwood,
Isle of Wright county

admrs of Charlotte Underwood; Josephine Underwood's admrs & al

other surnames: Wilson,
Darden

May 1866. Cond.

Oct. 1866 - Cond.

May 1867. Cond.

Oct. 4 Cond.

May 1868. Cond.

Oct. 11 Cond.

May 1869.

Feb. Decem.

(Negroes) *Whitfield* p. 9.

Hines wife & abn.

H. 3 chy. paps.
OS:

Underwoods Adm. p. 14.

1860.

Augt. Rules - Bill V. filed
Sund. Ed. & decessions n. the
adult parties defts.

Sept. Rules - Bill taken
for confessed as to all the adult
defts. Except Jas. C. Underwood
his and. filed in his own right
as adm. of Charlotte & Joseph
Underwood trust. 28th ad litem
app. to J. J. Wilson.

Sept.
Oct. Rules - And. of J. J. Wilson
by 28th ad litem deft. and set
for hearing.

Oct. 1860. Decem for
sale of negroes &c.

Jan. 11. 1861. upst. of
Cole filed.

May 1861. Decem to extend P.

1. *Therapsid* *Admiral*
Admiral
Admiral

William J. Underwood, to divide the aforementioned
negroes, between herself (the purchaser as aforesaid of Josephine's
interest) and the said William J. Underwood, the following
negroes now allotted to the said Charlotte Underwood: viz Peggy
& her child Archer, & Dick. (That John & Milly children of Peggy
were born afterward). The said suit & division as stated will more
fully appear by the proceedings in said suit, copy of which will be herewith
filed as part of this Bill, if the same shall be deemed necessary.

That Peggy, Milly & John are the only negroes ~~now left~~, which
were held by the said Charlotte Underwood at her death, she having
disposed in her lifetime of the others: That the heirs, and distributees
of the said Charlotte Underwood, are John C. Underwood, Elizabeth
Wilson, Caroline Hines, Indiana Sarden, William J. Underwood
and Frank J. Wilson an infant son of Virginia Wilson ^{Underwood!} ~~and formerly~~
- a daughter of the said Charlotte Underwood, and who died before
her mother - so that the said negroes will be divided into six
parts, & equally between the distributees just named. And as it is
obvious that the same cannot be divided in kind, they may
the same be sold, and the proceeds be divided among the
said parties entitled - That the said negroes & our orators
believe are not wanted to pay debts of the deceased Charlotte
Underwood. That the said W. J. Underwood, and Frank J. Wilson
~~are~~ ^{are} ~~under twenty one~~ ^{under twenty one} years of age - & our orators are without
adequate remedy save in this Hon. Court.

To the End therefore that justice may be rendered in the premises
they pray, that John C. Underwood in his own right, and as administrator of
Charlotte Underwood ~~and~~ & of Josephine Underwood ~~and~~; Mrs. H. J. Wilson
& Elizabeth his wife, Edward H. Sarden & Indiana his wife & Frank J. Wilson
be made parties defendant to this Bill & be compelled to answer
the same. That the said negroes be sold, and the proceeds divided as
aforesaid, and grant all other & further relief which the nature
of their case requires or to Equity may seem meet. & Grant Am't. &c.

Wm. H. Whitfield P. 1

Hines & wife & son
H. Hill

Underwood's Adam 1860

1860.
Sept. sub - filed

2

Negros

for the reason that all being more or less indebted to her, as Guardian,
she, as they, your orators are informed, designed to give up to each
one, the amounts so owing by them. She was left with little property,
and her children also had but little, so that she determined to
raise them to in the best manner she could - for to have charged
them, the burden would have fallen ^{upon} your orator, and the others
who were quite small at their father's death. She conceived that
as the older children had been raised & supported by the joint labour
of herself and husband, & were able to take care of themselves, she
felt it her duty to the younger ones to use her means to support
& educate them ⁱⁿ by this way to make the younger equal to the elder.
and therefore your orators are willing that her transactions as admin-
istrator of their father, and as guardian to them severally, ^{state to the others.} ~~of others concerned~~
shall be considered as closed. - Your orators further state that
upon the division ^{of the negroes} of Josiah Underwood's ~~de~~, among his children,
that the interest, or shares of your orator, Wm. J. Underwood and
Josephine Underwood, were assigned to them jointly, & so remained
until the death of, ~~Barthine~~, Josephine, as before stated Charlotte
Underwood, qualified as administrator of Josephine who was
at the time of her death quite young, and it is in regard to Joseph-
hine's interest in her father's negroes, and the division of Charlotte Under-
wood's negroes among them entitled, the attention of this honorable
Court is called, and its aid invoked.

Your orators further state, that (as they are informed, for they
were too young to know personally much about the matter in many
of its details, Charlotte Underwood as administrator of Joseph-
hine, sold ~~whether privately or at public auction, they cannot~~
~~positively say~~, the undivided interest of Josephine, in the negroes
which had been jointly assigned to her & your orator William
J. Underwood, and purchased said interest herself, at the ~~low~~
~~low~~ price of \$200: as appears from a Memorandum to that
effect found among her papers, & now in the possession of
Mrs. C. Underwood her administrator. That thereafter under a decree
of the 1st Dec: 1857, in a suit brought by her ~~against~~ your orator

To the Hon. Rich^d. H. Baker judge of the Circuit Court of
Isle of Wight County, in Chy Tilling, Thurs Chy Complainings
Sheweth unto your honor, your Orator, Norman Hines
& Caroline F. his wife, formerly (Underwood), and William J
Underwood an infant under twenty one year of age, who sues
by Norman Hines his next friend. That one Josiah Under
wood, departed this life, at his residence in the County aforesaid
on the 30th of January 1844, intestate. He left a widow, Charlotte Under
wood, and the following children as his heirs & distributees at Law-
viz: John C. Underwood, Virginia then the wife of W^m H. J. Wilson-
Elizabeth Underwood, Caroline F. Underwood (who has since married the
said Norman Hines) Indiana Underwood (who has since inter-
married with Edward H. Garden), William J. Underwood (your orator),
and Josephine Underwood. That the said Charlotte Underwood
qualified on his estate, on 4th March 1844: and on the 3rd Nov. 1845, she
was appointed guardian to the said Indiana, Josephine, W^m J. and
Elizabeth & Caroline Underwood, as will appear by the several
orders of the County Court of said County, herewith filed as parts of this bill.
That thereafter in 1846 Josephine Underwood, being a minor
and intestate, unmarried & without issue, leaving her mother, brother
& sisters above named as her heirs and distributees at Law, ^{Admⁿistration on} her ~~estate~~
estate, was committed to her mother Charlotte Underwood, upon whose
death as hereafter mentioned, the same was granted to John
C. Underwood, as will appear by the several orders of the County
Court of said County herewith filed. Subsequent to the death
of Josephine, ^{leaving an infant son, Josiah J. Underwood} Virginia the wife of W^m H. J. Wilson died, and
thereafter Elizabeth Underwood, became the wife (as she now
is) of the said W^m H. J. Wilson. That the said Charlotte Under
wood died on the 25th March 1861, and the said John C. Underwood
has qualified on her estate. That the said Charlotte Underwood
administered fully the estate of her deceased husband; in regard
to which, as well as to her transactions as guardian to her several
children, your Orator have no complaint to make, ~~unless it~~
~~should be necessary to consider such matters as affecting the~~

St. Andrews
{ one

Underwood v.

at. 364.

Heinrichs als.

Aut. of Jno. C.

Underwood in

his own right &

as ad. p.

filed Sept. 2nd 1860

The answer of Mrs. C. Underwood in his own right, and as admin
of Charlotte Underwood ad: & of Josephine Underwood ad:
to a Bill filed against him & als. By James Smith & als. on the
herent writ of Sale of August County.

This respondent saving & excepting so far answer to so much of
said as he is advised it is material for him to answer. say, that he
believes the facts as set forth in said Bill are true - That as far as he is con-
cerned, he has no disposition to go into the Guardian-ship transaction of his mother
of the several children named, provided all the parties agent to this, ~~matter~~,
as well as to other matters touching the purchase of Josephine's interest;
as he understands that all the parties have settled by compromise all
questions of that sort, and agreed to treat them as closed, and to divide
the said negro, on the bill mentioned, or the proceeds of sale thereof
between the distributees of the said Charlotte Underwood - He believes
there may be sufficient to pay the debts of the decedent, but
wishes that he be allowed to retain enough of out of the
proceeds of sale to meet all demands: and that the
parties be required to find Refunding Bond as the Law
directs & having answered

Mrs. C. Underwood

②

Price, 10 cents
H. Infant's and
under 100: admission 10 cents

Sept. 1860 filed

The answer of ^{Wilson} ~~James J. Henderson~~ by N. D. Young his 9^d ad
titem appointed v. to a bill filed by Hines & wife & as. O. Hines & als.
in the Circuit Court of Lee of a^d County.

This respondent by N. D. Young his 9^d ad titem saving & for answer to so
much of said bill as he is advised it is material for him to answer,
answering say; that he is an infant under twenty one ^{ye}ar of age
and wanting discretion, he go to submit his interests in the premises
to the protection of this Hon. Court. & hereby ansd. v.

N. D. Young
9^d ad titem

20

August the 1st day 1860 I executed the
within notice and Mr H Wilson & Elizabeth his
wife and on the same day I delivered a true
copy of the within to John C Underwood
and Edw. H Gardner & Indiana his wife

Thos J Clements Dr
for J. P. Gay Supr

Hines & wife bal.

as: J. J. Smith, in
Chq.

Underwood bal.

To Aug 31. Aug 1860
Civ. cot.

Wm J. J. J. J. J.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF ISLE OF WIGHT COUNTY,—GREETING:

WE COMMAND YOU TO SUMMON *John C. Underwood in his own right*
and as admor. of *Charlotte Underwood* etc. - & as admor. of *Josephine*
Underwood etc. And *William H. Wilson & Elizabeth his wife*
and *Edward H. Darden and Indiana his wife*. and *Josiah*
J. Wilson infant son of Wm. J. Wilson

to appear at the Clerk's Office of our *Circuit* Court of Isle of Wight County, at rules to
be holden for the said Court, on the first Monday in *August* next, to answer *the*

Bill in Chancery of Norman Hines & Caroline F.
his wife, and William J. Underwood an infant

As a Plaintiff under twenty one year of age, who runs
by Norman Hines his next friend.

~~damages~~

and have then there this writ. WITNESS, NATHL. P. YOUNG, Clerk of our said Court, at the Court House,
this *25th* day of *July* in the year 1860, in the *8th*
year of the Commonwealth.

N. P. Young co.

We have each received from Mrs. C. Underwood
Commissioneer in the suit of Hines wife v. Underwood
under decree of ^{now} ~~the~~ Circuit Court of Ind. at Wt. 1861,
the sum of One hundred & forty dollars and
eighty three cents, making in the aggregate
the sum of \$844.97, the net balance for
distribution, arising from the sale of negroes
Peggy, Melly & John belonging to the estate
of Charlotte Underwood decd. & sold by said
Commissioneer for distribution ~~among~~, it has
been at last. Given under our hands this 7th
day of March 1864,

Wm. H. L. Wilson, in his own right &
as guardian of Sarah L. Wilson.

Mrs. C. Underwood, in his own right and as
Adminr. of Mrs. J. Underwood, and best friend of C. F. Hines
Wife of Norman Hines

Edward H. Darden in his own right

The sum of \$140, retained by Mrs. C. Underwood
for C. F. Hines, wife of Norman Hines, has since
been disposed of by a chancery suit in Ind. of
Wt. Cir. Ct. of said C. F. Hines v. C. Underwood
signed J. C. Underwood
by Mrs. R. Kilgus

Wilson &
" " & Co.
Refers
Mendocino &

Made under
Order of
May 21 1861.

A.

A Statement shewing the manner in which the decree of the Circuit Court of Isle of Wight County, in the suit of Anne Smith v. vs. Underwood & Co. pronounced at the May Term 1861, was settled by the Commissioner Geo. C. Underwood.

1861
July 7. By amt. collected on R. Mountford
T. Halls bond (p'd. & int.) } \$440.63

1864
Nov. 7 By amt. on E. H. W. H. Dorton
bond (p'd. & int.) } \$42.62

" By amt. of Geo. C. Underwood for
fees & exp. of Miller (p'd. & int.) } \$69.97

1861
Dec. 22 To amt. due to Geo. C. Underwood
admt. of Charlotte Underwood
decd. on settlement of her admt.
as put. admt. of Const. Comy.
of record in County Court } \$423.00

To paid belk. & other fees
not heretofore included } 15.25
in acc't.
Bal. in hand to be distributed \$44.97

\$1283.22 \$1283.22

Pursuant to the decree of the Circuit Court of the District of Columbia pronounced on the 17th day of May 1861, in the suit of Ann wife of J. C. Underwood & als. The undersigned Commissioner thereof appointed, makes the following report. To wit: By the said decree, your Comm^r. was directed to receive from the Clerk of the said Court the bonds mentioned in his report of the 7th of June 1861 and with the amt. of \$387.60 in cash raised by him after ~~collecting~~ collecting the same, first pay any unpaid costs & then divide the balance of proceeds into six equal parts - giving to Herman Shindler & Corwin his wife, one part; to W. H. J. Wilson his wife Elizabeth one part; To Edward H. Darden & Adeline his wife one part; to W. J. Underwood or his legal g^d. one part & one part to Frank J. Wilson or his legal g^d. and the sixth part thereof to remain as the portion of said Jno. C. Underwood.

By the statement preceding this report & marked, A. it will be seen that the proceeds arising from said bonds, in gross, amount to the sum of \$1283.22. And that sum having arisen from the sales of the negro of Charlotte Underwood was paid to your Comm^r. who was advised, to the payment of his debts. On a settlement of the transaction of Jno. C. Underwood, the adm^r. of said C. Underwood, there was a balance due to the administrator, on the 22^d of Octo. 1861, of \$423.00 and your Comm^r. being the adm^r. after collecting the bonds aforesaid & with the cash aforesaid, after paying the unpaid costs, then deducted the said balance due him of \$423.00 which he has left in his hands for distribution the sum of \$844.97, which sum divided by six gives to each share \$140.83 - and of which your Comm^r.

has paid to Wm. H. J. Wilson & wife, one share
to Wm. H. J. Wilson & wife of Josiah J. Wilson one share,
to Edw. H. Dorrant & his wife one share.
And has retained in his hand a adv. of W. J.
who has died since the execution of said adv.
The dividend one share, has returned in his hands
one share for N. M. & Co. & his wife
and the remaining share has returned
in your comm. now right. Your comm.
respectfully asks the Court what dis-
position he shall make of the share of
H. J. & wife.

Respectfully submitted Nov. 7. 1864.

James Swift

By Comm. of the
distribution of
the estate of
Wm. H. J. Wilson

Witness my hand
at New York
Nov. 7. 1864.

Attest
Confession of
the foregoing
to be an
adv. of the
estate of
Wm. H. J. Wilson
deceased

is respectfully reported to the Circuit Court of Isle
of Wight County. Given under my hand this 7th
day of June 1861.

John C. Underwood

Hines wife Jas.
m. 3 Report. to.
Underwood Jas.

July 11. 1861. filed

Augt. 9th. 1861. Recd. of N. P. Young clerk of
Isle of Wight Circuit the bond of Nathow
Mountford Jas. for \$427.80 - and the bond of
E. H. Dorden to for \$395.50 which were
filed with this report & directed by order of
May term 1861, to be delivered to me.

John C. Underwood

Statement A.

Sale of Peggy	. \$460. 00
" " John	. 425. 00
" " Milly	. 320. 00
	<u>\$1205. 00</u>

Costs of Suit deducted		
Att. fee & tax	\$31. 50	
Auctioneer	5. 00	
Shff. fee	2. 50	
(clerk. fee not deducted)	~~15. 00~~	~~\$9. 50~~
Comm. on \$300.	15. 00	
Comm. on \$905. tol.	<u>18. 10</u>	<u>72. 10</u>
		<u>\$1132. 90</u>

By Nathan Mountford bond for Peggy	\$427. 80
" E. H. Darden " " Geo.	395. 50
" Cash for Milly	309. 60
	<u>\$1132. 90</u>

Pursuant to a decree of the Circuit Court of Wash. Co. rendered on 18. Oct. 1860, in the suit of Harmon Blair wife vs. M. Geo. C. Underwood vs. I have sold ^{on the 7. day. 1861} the negroes Peggy, John & Milly in the name mentioned and herewith report the foregoing statement ~~on the 7. day. 1861~~ as the result. The bonds mentioned in the said statement are herewith filed. all which

Johnson Lane

May 1. 1846 \$ 40.50 6 months
5.79 credit

Mr. Nelson to receive from Josephine & William Underwood in division
of Negroes \$10.00

~~from Caroline & Indiana~~ \$5.00

to John & Eliza Underwood to receive from Mr & Josephine \$17.00
from Caroline & Indiana \$4.00

C. F. Underwood owes C. Underwood on settlement of est Dec 31. 45 \$27.27

Indiana owes " " 20.90

Eliza Underwood owes " " 31.85

Isaac Underwood owes " " 20.57

C. Underwood owes Virginia & L. Underwood Dec 31. 45 each 49.43

Stahmunt, Rou

Letter

What are

Each

Hines & wife v. als
H.
Underwood adms

Decree.

This cause came on ^{this day,} to be heard, on the Bill taken for Confession as to the Defendants, as to William H. Wilson & Elizabeth his wife, Edward H. Sargent and Indiana his wife, on whom process has been duly served, they still failing to appear & plead, answer & demur to the said Bill; On the answer of John C. Underwood in his own right and as administrator of Charlotte Underwood, & Josephine Underwood & the answer of the infant defendant Josiah J. Wilson by his Guardian ad Litem with General Pleadings thereto, on the Exhibits, and was argued by Counsel.

On consideration whereof the Court doth adjudge, order and decree, that John C. Underwood who is appointed a Commissioner for such purpose, shall, after having given twenty day notice of the time & place of sale, at the door of the Court House of the said County, or other public place, sell at Public Auction, at the door of the C. House of said County, on some Court Day, the negro slaves, viz Peggy, Milly & John, in the Bill mentioned on a credit of six months, (save so much as may be required to pay expenses of suit & sale, including a fee of \$31.50, to Counsel, which may be in Cash & taking bond, carrying interest from the day sale, from the purchaser, with sufficient security; ~~Or if the said Commissioner shall deem it best he may sell the said negroes, or any of them privately,~~ and the S. Bonds, ~~if taken~~, return to Court, with a report of his proceedings &c.

~~If the said Commissioner~~. But this decree is to be suspended until the said Mr. C. Underwood enter into bond ^{with sufficient security} before the Clerk of the Court, in the penalty of \$3000.00, payable to the Commonwealth of Virginia, conditioned for the faithful discharge of his duties, ~~and this~~ ^{under}, or any future decree entered herein touching his duties as said Commissioner. 12

Hines & wife & also
H } Secrecy
}

Underwood: adm^r & also

Octo: 1860

To be entered

R. H. Baker

A Circuit Court Held for Isle of Wight County
On the 18th day of October 1860.
Norman Hines & Caroline his wife, and Wm. J
Underwood an infant, who sues by Norman Hines
his next friend Plffs.
against

John C Underwood, in his own right, & as adm^r of
Charlotte Underwood & as adm^r of Josephine Under
wood decd., Wm. H. Wilson & Elizabeth his wife,
Edward H. Darden & Indiana his wife, & Josiah I
Wilson an infant son of Wm H. J. Wilson Defs

This cause came on this day to be heard on
the bill taken for Confesd as to the defendants
Wm. H. J. Wilson & Elizabeth his wife, Edward H.
Darden & Indiana his wife, on whom process had
been duly served, they still failing to appear & plead
answer and demur to the said bill. On the answer
of John C. Underwood in his own right, & as adm^r of
Charlotte Underwood & Josephine Underwood decd. and the
infant Defendant Josiah I. Wilson by his guardian ad
litem with general replication thereto, on the exhibits &
was argued by Counsel; On consideration whereof, the
Court doth adjudge order and decree that John C. Under
wood who is appointed a Commissioner for such purpose
shall after having given twenty days notice of the time
and place of sale, at the door of the Court house of the
said County- and at other public places, sell at public
auction at the door of the Court house of said County on
some Court day- the negro slaves- (viz.) Peggy, Milly,
and John- in the Bill mentioned on a credit of six
months- save so much as may be required to pay expen
ses- of suit and sale- including a fee of Thirty one
Dollars & fifty Cents to Counsel, which may be in cash.

taking bond carrying interest from the day of sale from the purchaser with sufficient security - and the said bonds return to Court with a report of his proceeding But this Decree is to be Suspended untill the said John C. Underwood enter into bond with sufficient security, before the Clerk of this Court in the penalty of three Thousand Dollars - payable to the Commonwealth of Virginia, Conditioned for the faithful discharge of his duties under this - or any future Decree entered herein touching his duties as said Commissioner.

Hofy
Jeste. J. C. Sattermer D.C.

412.71.50 12.88.60 427.60 440.00	James Wolfe No. 3 Copy Decree of Court. Underwood &c. Jan. 11. 1861. Paid	460 McHugh 425-20.00 320 20.00 2461 62744.97 140.83	395.50 19.12 35.59.50 1922.5 37.57.23 395.50 482.07 32.00 15.00 18.20 Cash	375.50 19.12 3559.50 395.50 1977.5 7912.25 395.50 1172.02
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Hines & wife
vs.

Secord

Underwood vs. ad. This cause came on again, this day to be heard on the papers formerly read, and the report of John C. Underwood made in pursuance of the order entered therein on the 18th Dec: 1860, to which no exceptions have been filed and was argued by counsel. On consideration of the whole, the Court, confirming said Report, doth adjudge, order and decree, that Jno C. Underwood (on leaving his receipt for the same) do receive ^{from the clerk of this Court} the two bonds (one against Mountford & Hall & the other ^{files with his said report} H. Ed. H. & W. H. Garden), and the same collect: and the proceeds together with the sum of \$309.50 in cash received ^{by} him, after paying any costs remaining unpaid, will divide ~~into~~ ^{into} six equal parts: one of which he will pay to Norman Hines ~~in right of his wife~~ ^{and} Caroline; one part to W. H. J. Wilson ~~in right of his wife~~ ^{and} Elizabeth; one part to Edward H. Garden ~~in right of his wife~~ ^{and} Indiana; one part to William J. Underwood or his legal guardian: one part to Josiah J. Wilson or his legal guardian: and the remaining ~~part~~ ^{part} retain as his portion of the said sum. But this decree is to be suspended as to the payment of the said several shares, or parts, until the several parties, or some one for them respectively, shall execute to the said Jno. C. Underwood as administrator of Charlotte Underwood and, bonds with sufficient security, conditioned to refund their due proportions of any debts or demands which ^{afterwards} may appear against the decedent, and of the costs attending their recovery; and make report of his proceedings to Court &c.

Hines & wife

H. Secor

Underwood

May 1861.

To the interest

R. H. Baker

2 Ent,

be one.

Hines & wife H. Underwood.

This Cause came on again to be heard on the papers formerly read, and the report of John C. Underwood Commissioner made in pursuance of the decree entered therein at the May Term 1861, to which no exceptions have been filed, and was argued by counsel. On consideration whereof the Court confirming said Report, doth order, adjudge and decree that ~~and~~ ^{remaining} to the sum of \$140.83 in said Commissioner's hand, & belonging to, or being the share of Norman Hines ~~if the right of his~~ wife Caroline, be retained by said John C. Underwood Comr. aforesaid till the further order of Court.

James & wife

12 } deced

underwood

May 1864

John A.

William A.

For May 1864

1866

It is, & c. It is to

This case came on this day to
be again heard on the papers formerly read
& the report of Jrs. C. Underwood recently
filed therein, of payments made under
decree of May Court 1861 - to which report
there is no exception taken expressly Counsel;
On consideration whereof the Court doth advise
order & decree that the proceedings had in the
cause be confirmed & that the cause
be removed from the docket.

Strig. h.
v.

Condensed h.

1869

May and Dec.

Later Entries

E. P. Pitts

140.8 $\frac{1}{2}$

To the Hon. the Justices of Isle of Wight County in Chancery
sitting. Humbly Complaining shew unto your worships—your compl
aint Charlotte Underwood, that some time in the year —
one certain Josiah Underwood of said County died intestate
seized and possessed of certain real and personal estate— That some
time in the year — your worships appointed —
administrator of the estate of the said Josiah Underwood, who
duly administered the same according to law— That after the
settlement of said Estate, in obedience to a decretal order of this
honorable Court the slaves and other estate belonging to the said
Josiah Underwood administered by the adm^r were divided
according to principles of law and equity amongst the heirs of
said intestate. That in the Division aforesaid— Certain negroes, to wit.

were set apart and assigned to Josephine
and William Underwood two infant children of the said ~~Josiah~~
Intestate, together as and for their distributive share of said Intestate
estate— That sometime thereafter, to wit, in the year — the said
Josephine Underwood died, an infant intestate seized and possessed
of the undivided interest aforesaid in the negroes heretofore mentioned
and named— That your Complainant Charlotte Underwood was by
your honorable body— duly appointed Administratrix of said ~~Josiah~~
Josephine's estate, That she proceeded as Administratrix to sell
said undivided interest at public auction, At which time & place
she the said Charlotte Underwood being the highest bidder thereof,
the same was put down to her, and she became the purchaser—
That she paid into the estate the purchase money therefor, and duly
administered, settled and distributed said estate amongst the heirs.

Your Complainant charges— that the said William Underwood
is an infant under the age of twenty one years— And thereby incapable
of transacting business for himself legally. That the slaves aforesaid
and their increase belong as before recited— to the said William and
herself jointly— That it is necessary to the protection of her own
interest— that a division be effected in the said slaves, between the
said William and her self. & that said division can in no wise
affect injuriously—the interests of the said William.

But she is advised that the only means whereby the same may be effected is this: the medium of a Court of Equity where matters of this sort are properly Cognizable. To the end thereof while the same may be effected. Your Complainant prays that this honorable body will appoint a guardian ad litem to defend the interests of the infant William in this suit - that he be compelled to answer the interrogatories herein propounded promptly & decisively - That Commissioners may be appointed to divide the negroes aforesaid according to value - equally between the parties entitled to the same, that such other & further decree in the premises as may be consistent in the premises, and with the principles of justice and equity and with the rights of the parties - That the said William and your Complainant as ~~adverses~~ aforesaid of Josiah Underwood may be made Defendants, and be compelled to answer this bill of Complaint, and as in duty bound. Your Complainant will ever pray &c. &c.

James E. Jenkins Attorney
for Complainant.

The answer of Charlotte Underwood ~~adverses~~ of Josephine Underwood to the foregoing bill of Complaint of Charlotte Underwood.

This defendant Saving and reserving to herself all manner of exception to the foregoing bill of Complaint, for answer thereto - or as much as she is advised is material for her to answer, answers and says that the facts therein Contained are true - so far as she knows and believes and that she has no objection to the prayer of Complainant. Without this &c.

Signed.

James E. Jenkins att.
for C. Underwood ~~adverses~~.

The answer of Nathl. P. Young guardian ad litem to defend the interests of William Underwood - to the foregoing bill of Complaint of Charlotte Underwood.

This defendant Saving and reserving to herself all manner of exception to the foregoing bill of Complaint, for answer thereto, or as much as he is advised is material to answer, answers - and says - that he knows nothing of the facts Contained in the Complainants bill - That his ward is a minor, and that he refers the interests of said infant to this honorable body ~~apud~~ as the general Guardian of infants, they will defend & protect the said infants interests - and grant such a decree as is consistent with law and equity. Without this &c.

Signed

N. P. Young ~~adverses~~
ad litem.

A Copy
Teste.

J. C. Latimer D.C.

C. Underwood

vs. $\frac{2}{3}$ copy Bill +
 $\frac{1}{3}$ anfr.

Wm Underwood. P.

Exhibit A

Charlotte Underwood

Plf.

(Against

³
³
³
³ In Chy.

Wm Underwood. an infant an infant

Def.

under the age of twenty one years - and the said Charlotte Underwood adm^t. of Josiah Underwood Test..

N. P. Young is appointed guardian ad litem to defend the infant in this suit.

This cause came on this day to be heard upon the Bill and answer filed - and was argued by Counsel: On Consideration whereof - the Court doth adjudge - order and decree, that Joseph B. Whitehead, Nath^l. P. Young and John S. Latimer - or any two of them - app^r the value of the slaves - in the bill mentioned - as being the joint property of the said Charlotte Underwood and the infant William Underwood and divide the Same into two equal parts - and to the said Charlotte Underwood ap^rign one of those equal parts - and to the said William Underwood ap^rign the remaining equal portion. But should in the division aforesaid it be impossible to divide them equally, then the said Commissioners will ascertain the difference ^{in value} between the respective shares - and say in their report how much the party to whom they shall ap^rign the larger and more valuable portion shall pay over to the other. And the said Commissioners will make a report of their proceedings under this decree - to the Court - in order to ofinal decree.

Hfy
Jetc.

J. C. Latimer D.C.

Underwood

vs. Zephyr Decus

Underwood

Ex libris. 'A'

At a quarterly Court held for Isle of Wight
County On the 4th day of March 1844.

On the motion of Charlotte Underwood
who made oath as the law directs, and with David
A Bain and John Phillips her securities, who
made oath - and entered into & acknowledged a bond
in the penalty of \$6000: - Conditioned as the law
directs, administration is granted her on the
estate of Josiah Underwood decd. in due form.

Attest

H. C. Latimer D.C.

At a County Court held for Isle of Wight
County - On the 3^d day of November 1845.

On the motion of Charlotte Underwood she
is appointed guardian of Indiana, Josephine,
& Jeph W. Underwood, and the said Charlotte
was also chosen guardian by Elizabeth and
Caroline Underwood - orphans of Josiah
Underwood, and thereupon she entered into -
~~and acknowledged~~ (with J. B. Whitehead and
John C. Underwood her securities - who justified)
bond in the penalty of \$5000: Conditioned
according to law.

Attest
J. B. Whitehead

H. C. Latimer D.C.

At a County Court held for Isle of Wight County on
the 7th day of May 1860

On the Motion of John C. Under-
wood who made oath, and with Merit Briggs his
security (who justified), entered into and acknowledged a
bond in the penalty of \$12000:00. with conditions according
to law. Administration is granted him on the estate of
Charlotte Underwood decd. in due form. Ordered that
said bond be recorded.

A Copy

Teste

J. C. Latimer d.c.

At a County Court held for Isle of Wight County
On the 4th day of June 1860.

On the Motion of John C. Underwood who made
Oath, and with William H. J. Wilson his security (who
justified), entered into, and acknowledged their bond
in the penalty of \$500:00, with Condition according
to law. Certificate of Administration is granted
him on the estate of Josephine Underwood decd.
Ordered that said bond be recorded.

A Copy

Teste

J. C. Latimer d.c.

Hines & Wife tal.
Exhibits
(20)

Underwood tal.

Order of
Qualification on
estates of parties
in Bill Menture.

~~Order of Underwood~~

~~f. 22. 3 legins~~

Underwood.

Underwood

no. 4 copy comm.
rept.

Underwood

Exhibit "A"

As

4

Charlotte Underwood

Against

$\frac{2}{3}$ In Chry.

Plff.

William Underwood - an infant

Def't

The undersigned, Two of the Commissioners appointed by decree in this cause of 1st December 1851. make the following report. Pursuant to the decree aforesaid we did on the 3^d day of February 1852. appraise the value of the slaves mentioned in the bill. as follows. to wit:

Woman Peggy and Child Archer.	\$ 450.00
Boy Dick	400.00
Boy Andrew	400.00
Child Diana	150.00
" Joe	100.00

Total Value of Negroes. 2/1500.00

Value of each share 750.00

To Mr. Charlotte Underwood we appraise Peggy & child	450.00
Dick	400.00
	850.00

Mr. Underwood to pay William Underwood	100.00
--	--------

Mr. C. Underwood share	\$ 750.00
------------------------	-----------

To Mr. Underwood we appraise Andrew \$400. Diana \$150.	550.00
---	--------

Joe \$100. To receive from Mr. Underwood \$100.	200.00
---	--------

Wm. Underwood. Share	\$ 750.00
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All of which is Submitted to the Court.

N. D. Young

Comr.

Jos. S. Latimer

Comr.

Attest

Teste.

J. C. Latimer D. C.

Dear Nat.

I have prepared the Deeds in each Case. The manner of distribution of Norman King's shares I have left blank, as there is a suit pending in Circuit Ct, touching this matter. You had better see or write to Mr. Hibbs in regard thereto. I do not think these shares ought to go out of the Court's Control, unless they are transferred or made subject to the jurisdiction of the Court in Circuit Ct.

I see no bonds in any Case - I presume they were taken out, as a precaution.

I have not required the Comptroller to give any other bond, as the bonds heretofore given, under previous deeds, reached all future orders.

Yrs truly
R. H. Whipple

For

A. P. Young Esq
B

Know all Men by these Presents, That we John C. Underwood

are held and firmly bound unto the Commonwealth of Virginia in the sum of one thousand
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 1st day of June
in the year of our Lord, one thousand eight hundred and Eighty 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 1866
in a cause depending in the said Court, in which Creditor A. Heines suing
by John C. Underwood his next friend is
Plaintiff, and
Thomas Heines and others
Defendant, the

above bound John C. Underwood was appointed a special
Commissioner to a special trustee for the purpose of collecting
the sum of \$1013.50 and investing the same as directed
in said decree for other purposes in said decree mentioned.
And if the said John C. Underwood shall faithfully
execute the duties required of him by said decree as
also any other decree that may be made in the
said Cause &

Now, if the above bound John C. Underwood 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 }

John C. Underwood



The decree ordering this bond
to be taken does not require
Underwood to give security
A. P. Perry att.

Mo. C. Woodward.

Bond as

Trustee for C. F. Hays

Dated 1. Jan 1866

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO

Heineke & Co.
of Bond Street

New York

Know all Men by these Presents, That we John C. Underwood
and William H. J. Wilson

are held and firmly bound unto the Commonwealth of Virginia in the sum of Three
thousand 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 7th day of January
in the year of our Lord, one thousand eight hundred and Eighty one

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 18th day of October
in a cause depending in the said Court, in which Norman H. Brier &
Wife and others are

Plaintiff, and

John C. Underwood in his own right for
a debtor of Charlotte Underwood & als. and Defendant, the
above bound John C. Underwood was appointed a special

Commissioner to sell negroes Peggy, Mully & John
in the Bids mentioned on a credit of six
months, save so much as may be required to
pay the costs of suit & sale which may be in
Cash, taking bonds carrying interest from the
day of sale from the purchaser with sufficient
security and return said bonds with his report
to Court.

Now, if the above bound John C. Underwood 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 }

J. P. Spry co.

John C. Underwood (SEAL.)

Wm. H. J. Wilson (SEAL.)

(SEAL.)