

1875-010 Chancery Causes: John C. Thomas, for & C vs A. Nathan B. Swatney 's admr & al
Jeh of Wight County

other surnames: Edwards,
Clements, Lipscomb, Delk
Womble, Gray, Cofer,
Jordan, Herman, Adams
[Thomas, Adams & Company],
Lipscombe, Purdie,
[Herman & Company]

2

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

To John C Thomas

Nov. 26th 1874

Plaintiffs,

And

To Thomas J. Clements admor. of A. B.
Gwathney decd.

Defendants:

You are hereby Notified, That I have fixed upon the 20th day of
Decr next. if fair, if not, the next fair day thereafter, (Sunday
excepted), to take and settle, at my office aforesaid, the following accounts:

A further account of the transactions
of Thomas J. Clements as administrator
of A. B. Gwathney decd.

No credit except what shd. from Hoyer
in the late White v. Gwathney

Paid C. B. Hoyer \$5.00 per

Required to be taken by decree of Isle of Wight ~~Courts~~ Court, rendered on the
1st day of December, 1874, 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 of the said Court, the day and year
first aforesaid.

J. P. Foran Commissioner.

Thomas

vs. { Com^d Niles

Govallmy's adm. &c.

To 20th Dec. 1872.

Received of the
Com^d Niles the sum of
£100 0 0
for the sum of
£100 0 0

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

4th Sept 1871,
To John C. Thomas

Plaintiffs,
And

To J. Clements agent of A. B. Gwatton and: Tessa and
Gwatton widow of said A. B. Gwatton, Willis R. Gwatton & Mary E.
his wife and A. B. Edwards Defendants:

You are hereby Notified, That I have fixed upon the 4th day of
October next, if fair, if not, the next fair day thereafter,
(Sunday excepted), to take and settle, at my office aforesaid, the following accounts:

1st. An account of the value of the house of Tessa and
Gwatton widow of A. B. Gwatton in one half of the
premises sold to be compensated by a sum in gross.
2nd. An account of the transactions of J. Clements as agent
of A. B. Gwatton. 3rd. An account of all outstanding
debts or demands against the said A. B. Gwatton
or his estate, with their respective discharges, taking
the accounts filed in the cause as prima facie
correct subject to be surcharged & falsified
by either party.

Required to be taken by decree of Isle of Wight County Court, rendered on the
7th day of August, 1871, in a suit in chancery depend-
ing 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 of the said Court, the day and year
first aforesaid.

A. S. Young

Commissioner.

all
shown as

of Court. (Noted)
N. D.

Recd at New York adms. 1841.

of the Acts. 1841.

Executed on all the
parties.

E. J. Chapman 1846

Wm. T. ...
1844

Know all Men by these Presents, that we
C. B. Hayden and John E. Adams 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 5th day of December
1870.

The condition of the above obligation is such,
that whereas, by a Decree of the County
Court of Isle of Wight County, pronounced
on the 9th day of November 1870 in a
cause depending in said Court, in which
John C. Thomas & als. are Plaintiffs, and
A. B. Gwaltney's Admr's, are Defendants, the
above bound C. B. Hayden was appointed a
special Commissioner to sell the land in
said Decree mentioned, whereof Willis
Gwaltney died seized.

Now, if the above bound C. B. Hayden shall faithfully
discharge his duties as Commissioner under
the said Decree, or any future Decree here in then the
above obligation to be void, otherwise to remain in full
force & virtue.

C. B. Hayden Seal
John E. Adams Seal

Thomas & als.

N^o.

Gratthays admr. &c

Commissioner's Bond

Ordered three months after date with
Interest from date we promise to pay
Benjamin Gualthney or order the just sum
of Twenty seven dollars & forty one cents
Good and lawful money of Virginia for value
recd. for the payment of which we bind ourselves
here. Expt. 4. Given under our hand and seal
this 9th day of January 1861
Test
E. M. Warrick

Benjamin Gualthney Recd
J. B. Carrard Recd

1861
Jan 9 Pay thy willin
to J. C. Thomas

Winnipeg Guelph

W. B. Guelph
\$27.41

Ordered and one day after date

I Promise to pay to Wm G. Smith the
just and lawful sum of fifty Dollars it
being for the purchase of a horse
for which I bind my self his & assigns
him words - my hands & seal this
9th day of July 1861

Ans. B. G. Smith

1861 July 9
Pay this warrant to
John C Thomas
Minneapolis Gwalther

7

At B. Gualther
\$50.00

Mr. A. G. Watney, To. John C. Thomas

1860. 50 Cash for hauling Rail,

April 3 To and paid Whitfield Lawer for
Rents of Farms 1860

" " " 1861

Balance for the above

Dr

\$ 1.38

6.89

12.00

12.00

\$ 32.27

Q B Kwattay
H acc

~~\$3128C~~

On demand I promise to pay or cause to be paid
unto John. C. Thomas or order the sum of full
sum of thirty one Dollars & twenty eight cents
Good lawfull money of virginia for value
for value received for the true payment of
which I Bind myself heirs Exors &c to pay
Given under my hand & seal this 29th day
of March 1866

Test

W. G. R. B.

Anson B. Guattney Seal

Anson. P. Gwaltney
To note \$31.28

Thomas
vs
Gualtney's Administrators
et als

Exhibits
A B C + D

Thomas & Co

vs

Exaltine, Adams & Co.

This cause this day came on
to be again heard on the papers formerly read upon.
The report of of Collection & payments of Commissioner
Hayden under the decree herein of the tenth Term 1872,
was argued by counsel, on consideration whereof the
Court confirming said report - to which no
exception was filed doth adjudge order & decree that this
suit be removed from the docket, nothing
further remaining to be done herein -

Thomson
11
Sundling adrian
Luh

Rough Ocean
Oct Term 1875
To be entered

Geo. T. Sloan.

Entered 13'

Final

⁴
Thomas

Groatney's admorsals.

This cause this day
came on to be again heard on the
papers formerly read on the Report
of Commissioners A. D. Young under
the Decree herein of August Term
1871 & was argued by counsel on
confirming said report ^{with no exceptions} ⁱⁿ ^{the} ^{filed,}
consideration whereof the Court
doth adjudge, order, & decree that
the Clerk of this Court deliver to
C. Betzard on his filing this
receipt therefor the Bond of ^{W.R.}
Groatney, M. White & John E. Adams
for \$272⁴⁴/₁₀₀ payable on demand from
Jan 2nd 1871 which bond the said
C. Betzard, who is hereby appointed
Commissioner for that purpose
is authorized & required to collect
out of the proceeds thereof ^{pay} the
unpaid costs of the former sale herein
& 1/2 of the balance of said proceeds ^{pay} to the said
W.R. Groatney, ^{and} the other half of ^{the balance of} said
proceeds ^{after} paying the unpaid costs of this suit pay
to Devanne Groatney widow of B
Groatney, \$3⁵⁰/₁₀₀ with interest thereon
from the 2nd day of January 1871 the
amount so amount due has as
compensation for donee by the

of Thomas

vs {

Ernest Haydon vs Thomas

Wagon Deceit
of

December Term
1871

vs Centens
Gro. Robertson

Received of the Clerk of
the County Court the
within named Bond
C. B. Haydon

4

Report of said of Commissioner
Young, & the balance of said
proceeds retain until a further
order of this Court, taking the
receipt of said parties Haydon &
return the same to Court
with his Report of said proceeding
under this decree & the Court doth
further (a.o.d.) that a Comr. of this
Court take a further account of
the transactions of Thos. Clement as
Administrator of B. G. Motney which
account he shall take settle &
report to Court with any
matters specially stated
deemed pertinent by himself
or required by the parties to be
so stated.

In Isle of Wight County Court, Aug 7th 1871

John C. Thomas suing on his own behalf
that of all other creditors of A. B. Gwatney, per ff.

vs. } Lm

Thos. J. Clements adm^r of A. B. Gwatney dec^d,
Feyana Gwatney widow of said A. B. Gwatney
Saml. B. Gwatney an Infant, & Willis R. Gwatney
and Mary E. his wife & L. B. Edwards, Defts.

This Cause this day came on to be again
heard on the papers formerly read & on the
report of Sale of Corn^r, Hayden made un-
der the Decree herein of Nov^r Term 1870,
& was argued by Counsel: on consideration
whereof the Court confirming said report
to which no exceptions were filed, doth adjudge
order & decree that a Com^r of this Court take
the following accounts,

1st An acct. of the value of the Dower of
Feyana Gwatney widow of A. B. Gwatney,
in one half of the premises sold to be com-
pensated by sum in gross,

2nd An acct. of the transactions of Thos. J. Clem-
ents as adm^r of A. B. Gwatney,

3rd An acct. of all outstanding debts or demands
against the said A. B. Gwatney or his Estate
with their respective dignities taking the
accts. filed in the Cause as prima facie
correct. Subject to be surcharged & falsified

Shorn as follows
vs. { Copy of
Decree

Gwalluwy's adm^{rs} &c,

Augt. Co. Ct. 1874,

Vol. 1. 1st of the 1874/1875
1/2 of the Acts. 1874.

by either party; which accounts he shall
take settle & report to court with any
matters specially stated, deemed pecti-
ment by himself, or required by the
parties to be so stated &c,

Attest

Teste

C. H. Hart, D.C.

John C. Thomas Esq.

vs.
A. B. Smalley's Adm'r & al.

This cause this day came on to be again heard on the papers formerly read & on the Report of Sale of Commissioner Hayden under the Decree herein of November Term 1870, & was argued by counsel on consideration whereof the Court confirming said Report to which no exceptions were filed doth & adjudge order & decree that a Commissioner of this Court take the following Accounts,

1st

An Account of the value of the Dower of Texanna Smalley Widow of A. B. Smalley in one half of the premises sold to be compensated by sum in gross;

2^{ndly}

An Account of the transactions of T. J. Clements as Administrator of A. B. Smalley;

3^{dly}

An Account of all outstanding debts or demands against the said A. B. Smalley or his Estate with their respective dignities; Taking the Accounts filed in the cause as prima facie correct, subject to be surcharged & falsified by either Party, which Accounts he shall take settle & report to court with any matters specially stated deemed

John C. Thomas & Co
vs.

A B Gnattrap & Amrode

Rough Deere
at
August Term
1891

To be entered
Brookston

Ent^d
9

fortiment by himself or required by
the forties to be as stated.

Thomas
H.}}

Gwaltrays Admorsals.

This cause this day came on to be heard on the papers formerly read and on the Report of R. H. White, J. L. Cofer and J. A. Stallings those of the Commissioners for Partition under the Decree herein of June Term 86 and was argued by counsel on consideration whereof the Court confirming said Report to which no exceptions were filed doth adjudge, order and decree that C. B. Hayden who is hereby appointed Special Commissioner for that purpose proceed to sell at Public Auction at Ischof Wight Coast House on some day the land in these proceedings mentioned ~~whereof~~ jointly owned by A. B. Gwaltray Decd and Willis R. Gwaltray, consisting of a tract of land containing by estimation 140- acres lying adjacent to the lands of R. G. Moody Decd.

being the land whereof Willis Gwaltray the father of said A. B. Gwaltray died and Willis R. Gwaltray died seized and possessed in the County of Ischof Wight on a credit of 1st and 2 years in two equal payments with interest from date

9 Subject to, or inclusive of
the 12th in 12 the 12th in 12
Gwaltray, widow of said A. B. Gwaltray
as she may elect such election to be made
before & certified by a Magistrate of Ischof in this cause

After having given at least 20 days notice of the
time and place of sale by advertisement at the court house
door of said County on some Court day previous to the day of
Sale & at other public places in said County.

except so much for Cash as will
pay the costs of said suit and sale inclu-
sive of Attorneys Fee of \$30⁰⁰ to C. B. Hayden
for his services in this cause, if taking for
the credit portion of said land 2
bonds in equal amount with sufficient
security payable to himself as commis-
sioner respectively one and two years from the
day of sale with interest from the day of sale
which bonds he shall return to Court
with his Report of his proceedings
under this Decree; and the Court doth
farther adjudge order & decree that a
commissioner of this Court take the
accounts directed by the decree herein
of June Term 1869, but the effect of
this Decree shall be suspended until the said
Commissioner shall execute and deliver in the Clerk's
office of this Court a bond with sufficient
security in a penalty of \$1000.00 payable
to the Commonwealth of Virginia conditioned for the
faithful performance of this or any future decree
herein

off
Thomas

or

McIntyre's admorsals.

Rough Pleasance
of

November Term 1870

1/4 Re entered

Thomas

vs

Emallney, Adams & als -

This cause in which the Bill is taken for conferred as to the adult Defendants Thomas J Clements Admtr of A B Emallney decd, Texana Emallney, Willis R Emallney Mary Eliza wife of L B Edwards on whom process has been duly served, they still failing to plead answer or demur, came on this day to be heard on said Bill, the Answer of the Infant Defendant Samuel B Emallney by A P Young his guardian litem & exhibits filed was argued by counsel, on consideration whereof the Court doth adjudge order & decree that a Commissioner of this Court take the following accounts

1st
An account of the transactions of said Thomas J Clements as Admtr of A B Emallney decd

2nd
An account of the Plaintiffs demands & that of all other credits of the said A B Emallney who may choose to contribute to the costs of this suit -

taking as prima facie correct the accounts filed with the Bill, subject to be surcharged & falsified if either party which accounts 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 -

And the Court doth further adjudge order & decree that Henry Jones, A H White A F Small J A Stallings J C Cofer -

who are hereby appointed special commissioners for that purpose, any three of whom may act proceed to divide into two equal Moities having regard to quantity & quality the land jointly owned by A B Emallney

decid & Willis R Gualtney, consisting of a tract containing
by estimation acres lying in the county of Sil of Wight
adjacent to the lands of the late A. P. Moody

I allot one of said equal parts to said Willis R Gualtney
& one to the estate of said A B Gualtney, setting off the
same by metes & bounds;— But if the said commissioners
should be of opinion that such partition cannot be conve-
niently made & that the interests of those who are entitled to the
subject or its proceeds will be promoted by a sale of the
entire subject, a allotment of part & sale of the residue
they will so report to the court with the reasons on which
their opinion is founded, or they may allot the entire
subject to any party who will accept it: & pay therefor to the
other parties such sum of money as their interest therein
may entitle them to & in such case they will report
to the court on what terms the party agreeing to take
the land shall hold the same. And in any event—
such commissioners shall report to court their proceedings
under this decree with the fee simple value of said land—

Thomas.

11

Gualtney sub-

Rough Decree

June term 1869

To be entered—

Robert B. Gualtney

Entered

Dr. The Estate of Asaiah B. Gwaltham decd.
In account with Thomas J. Clements his admr.

1868

Jan. 4

To this sum due admr. on former settlement 41 80

Nov. 25

" interest on same to Nov. 25th 1867 9 75

" commissions on \$485.67 receipts 21 28

" pay Charles B. Hayden atty. fee 5 00

" " Balance due the estate per contract 406 82

1878

Nov. 25

By this amt. received of C. B. Hayden

comr. in the suits of Ryan & Wilson vs

W. Delk & Gray & White admr. W. Gray, being

amt. on judgment of O. G. Delk & W. Gray

485 67

\$485 67 \$485 67

Commissionary office, Isle of Right Court house,
Jan. 21st 1878.

To the County Court of said county.

Pursuant to a decree of said Court rendered on the
7th day of December, 1871, in a suit in chancery therein
depending, between Jno. C. Thomas plaintiff and T. J. Clements
admr. of A. B. Gwaltham decd. &c., doth. directing a commission
of said Court to take and report a further account of the
transaction of T. J. Clements as admr. of said A. B. Gwaltham
decd. Your Commissioner reports to the Court that on the
26th day of December last, he issued notice to the parties
interested, that he had appointed the 20th of December 1872

to take and settle said account, which notice, was speedily returned
to your court. That on the day appointed, the parties, not appearing, the
taking of the account was continued from time to time until the date
of this report, when your commissioners made up & completed the
said account, and finds on the 25th of November, 1874, a balance
of \$406.82 due from the the administrator to the estate,
with interest thereon from the 4th day of Jan. 1875.

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

A. P. Young Com.

Commissioner's fee \$4.00
clerk. " 1.00
\$5.00

Thomas W.

33 Corv. Capt. J.
W. D. Smith adm. Ct.

Geo. Allways' adm. sal.

Jan. 25? 1875 filed.

the tract of land purchased by the said W R Gwaltney under the decretal sale made under the decree herein of November Term 1870, containing by estimation 140 Acres more or less lying in the County of Isle of Wight, adjacent to the lands of A. J. Moody dec'd, Algernon F Carroll & others, being the land whereof Willis Gwaltney, the father of said W R Gwaltney died seized in said County & the Court doth further adjudge order & decree that the said C B Hayden pay the balance of the proceeds of said Bond, together with the balance as such in the hands of said - which may be found due from Thos. J. Clements as Administrator of A B Gwaltney on the decree herein of Dec Term 1871, which balance the said C B Hayden is hereby authorized & required to collect & apply in payment

Wm C Thomas

1871

W R Gwaltney, Admin
of A B -

Rough Decree

Dec: Term 1872

John entered -

Wm R. Johnson

Received of Clerk of
the County Court the
within named Bond
C B Hayden
Commissioner

Entered

of the several creditors ^{of A. B. Gwaltney} named in Commission of said
former Report of Debt herein the several debts shown by
said Report to be due them in whole or in part according to
the sufficiency of said fund taking the receipt of the
parties therein return the same to Court with his
report of his proceedings under this decree & the Court
doth further adjudge order & decree that this suit be dismissed
as to Report of Gwaltney -

To the Honorable George Blaw: Judge of the
Circuit Court of the County of Isle of Wight;

The undersigned special
commissioner under the annexed decree of the
County Court of said County of December Term
1872, in the chancery suit of Mrs C Thomas late,
vs Thomas J Clements Adm of A B Gwallney & als
then pending in said Court, but which by opera-
tion of law has been transferred to this Court;
Respectfully reports to the Court; that pursuant
to said decree, he collected the Bond of W R
Gwallney therein named & after payment
thereof - the unpaid costs of suit & sale
paid the Moneys thereof to said W R Gwallney
& the balance thereof, together with the sum
of \$ 30.04 remaining in his hands per last report
& the net balance of the sum of \$
with interest;

Collected from said Tho J Clements Adm of
A B Gwallney, shown by the report of Commissioner
N P Young herein to be due from him as such
administrator, distributed among the creditors
named in the report of debts herein presented -
The amount & date of the collections on the Bond
of W R Gwallney & the amount paid him thereon
is shown by Statement A

1873 - Feb 25 -	Collected in part of said Bond -	100.00
1874 - " 25	" do in full of Bond -	220.00
Amount Carried over - - -		\$ 320.00

Statement A Not exp-

Amount in full collected of H R Gwaltney - 320.00
 Commission on int: in above .95
 Drawing made to Gwaltney 5.50 6.45
313.53
 1/2 paid H R Gwaltney - 156.77

Amount Carried to Statement B

for distribution 156.78

\$313.55

The total amount of collections from said
 Admin of A B Gwaltney, the deduction of expenses
 therefrom & amount for distribution among
 Creditors \$580.00 are shown by

Statement B

1873. March 4th Collected from A B Gwaltney, adm - 344.34

1874 - July " " 75.83

420.19

Comm on \$300.00 - 15.00

" " 120.19 - 2.40

Comm fee 4.00 - Admin's Cr. 1.24 - 5.24

" Paid Ref. 09

Stiff, fee 1.00 - " Court Cr. 2.28 4.28 27.01

393.19

Balance from Gwaltney Bond as

per Statement A - 156.78

Balance in hands of Commission for last ref. 30.04

Balance for distribution to Creditors - \$580.00

Statement C shows the amounts due

each creditor & their respective pro rata

Shares of the above sum of \$ 58000 -

Statement & shows the receipts of said
Creditors for their said private Shares
The receipts of the other parties for said payments
are herewith filed -

On the payment in full by said H R Groatney
your Commissioner executed & delivered to
him a deed for the tract of land purchased
by him as directed by said decree -

All of which is respectfully submitted -

Signed C B Hayden

Mrs C Thomas d^{ies}

11

A B Grallig's Admin

Labs —

Commence

Hayden Repat

of

Collection & Payment —

C

Statement of assets and liabilities of A.B. Gwaltney
with interest to Jan'y 4/68 as per Com. Court Report
with the prorata share due each creditor.

		Assets of debt. Prorata	
John L. Thomas assignee of			
Winifred Gwaltney (Bond)		71 05	64 53
do assignee of same	"	38 48	34 95
do Bond		45 85	41 65
do afc		43 99	39 95
W. F. Lipscombe	afc	41 25	37 47
E. P. Wamble	"	2 09	1 92
E. H. Gray	"	4 62	4 20
J. O. Cofer	"	42 15	38 29
do Bond		89 34	81 15
O. G. Deek	"	71 00	64 50
do afc		8 72	7 93
Geo. H. Jordan	"	6 80	6 18
L. B. Edwards	"	97 58	88 53
Winifred Gwaltney	"	23 63	21 47
Thomas Adams & Co		52 06	47 28
		\$638 81	\$580 00

John C. Hancock

or

A. B. G. Mattiepadm de

Creditors Receipts

for Payment

In the undersigned have respectively received
 from C B Hayden com in John L Thomas also
 W. A. B. Gwaltney admr at the same opposition
 respective names. In W. P. Ditz, Assgn of

✓	E. H. Jordan	✓	6 18
✓	C B Hayden alt for Hermann ^{meringer} Co & Thos C Thos	✓	84 53
✓	C B Hayden alt for Hermann Co assign Thos C Thos	✓	34 95
✓	C B Hayden alt for Hermann Co assign of do	✓	41 55
✓	C B Hayden alt for do assign of do	✓	39 95
	C B Hayden alt for Thos & Adams & Co		47 28
✓	K B Hayden alt for W. H. Lipscomb	✓	37 47
✓	Shoebottom for C. H. Gray	✓	4 20
✓	E. H. Mankin	✓	192
✓	L. B. Edwards	✓	88 53
✓	W. R. Gwaltney Admr Wmfred, Gwaltney	✓	21 47
✓	Ol. Deet	✓	14 50
✓	Ol. Deet	✓	793
✓	J. O. Cofer	✓	38 29
✓	J. O. Cofer	✓	81 15
			<u>58000</u>

Thomas

" $\frac{3}{4}$ Costs since Court. Rept. under sum of
Gwaltney Dec. 1841.

Clerk of County Court (paid by self.) 5. 16

Att. of do. not paid 2. 28

Clerk. Cir. Ct. " " 1. 24

Cnd. Young " " Paid N.P. Young 4. 00

Shff. Edwards " Paid A.B. Edwards 1. 00

Fees,

\$ 14. 68

4.96 of above paid to N.P. Young att. 4. 96

Pltff under last Rept.

9. } 2

5.16
4.96
—
.20

$$\begin{array}{r} 30.04 \\ 15 \overline{) 0.16} \end{array}$$

$$\begin{array}{r} 18 \overline{) 20} \end{array}$$

$$\begin{array}{r} 9.89 \\ \hline \end{array}$$

$$\begin{array}{r} 1 \overline{) 8.21} \end{array}$$

$$\begin{array}{r} 550 \\ \hline \end{array}$$

$$\begin{array}{r} 1 \overline{) 2.75} \end{array}$$

$$\begin{array}{r} 86355 \\ \hline \end{array}$$

$$\begin{array}{r} 7585 \\ 8.63 \\ \hline \end{array}$$

$$\begin{array}{r} 6 \overline{) 22} \end{array}$$

I hereby authorize C B Hayden Commissioner in Kansas
or Emalley to pay to the 'R. R. Road' note it may be due
me from the estate of A B Emalley -
Geo W Jordan

I Here assign to C B Hayden for the
benefit of Hernandez's all my claims as
A B Gualtney & authorize said Hayden to
collect the same & apply them in payment
of Hernandez's judgment as the
May 6th 1873

J. B. Thompson

Mr. C Thomas
Shipman
to
Herrn and Co

Received of W B Hayward cash in suit of John
to Thomas P. A. 18. Gwatney amount of one
Hundred & fifty Six dollars & seventy seven cents
being my one half of second bond for W B
Gwatney land tax case

W B Gwatney

Commissioner for that purpose ex-
 -cute & deliver to the said W. R. Gwaltney
 a good & sufficient deed in fee simple
 with special warranty, free from all
 claim of dower thereon of Texanna Gwalt-
 -ney widow of A. B. Gwaltney dec'd, for the
 tract of land purchased by the said W. R.
 Gwaltney under the decretal sale made
 under the decree herein of November term
 1870. Containing by estimation 140 acres,
 more or less, lying in the County of Sale
 of Wright, adjacent to the lands of A. G. Woody
 dec'd, Algernon F. Carroll, & others, being the land
 whereof Willis Gwaltney the father of said
 W. R. Gwaltney died seized in said County,
 & the Court doth further adjudge, order & decree
 that the said C. B. Hayden pay the balance
 of the proceeds of said bond & the sum of
 \$30.04 already in his hands as shown by
 his report aforesaid, together with the
 balance which may be found due
 from Thomas F. Clements as Adm'r
 of A. B. Gwaltney on the decree herein
 of December term 1871, which balance
 the said C. B. Hayden is hereby authorized
 required to collect, apply in payment
 of the several creditors of A. B. Gwaltney
 named in Commissioner Young's former
 report of debts herein, the several debts
 shown by said report to be due therein
 whole or in part according to the suffi-
 -ciency of said fund, taking the re-
 -ceipts of the parties therefor, & return

the same to count with his report of his
proceedings under this decree, &
the Court doth further adjudge, order
& decree that this suit be dismissed
as to Lexanna Gwaltney,

Deputy Teste,

Le. J. Hart, D.C.

Jno. C. Thomas & Co.,

vs. { Copy Decree
{ Decr Co. Ct.
1872,

A. B. Swallow's Adm^r

Wm. Swallow

§88⁷² Received of C. B. Hayden Commis-
sioner in suit of John L. Thomas & al. vs.
A. B. Snattney's Adm'r & al. the sum of
"Eighty Eight Dollars and Seventy Two
Cents" sum decreed me in said suit
as my equivalent of Dower in the Estate of
A. B. Snattney Deed.

Mrs T. C. Snattney

\$139²²/₁₀₀ January 17th 1872 Received of E. B. Hayden
Commissioner in suit of John C. Thomas & al. vs.
A. B. Gualtrey's Administrator & al. "One Hundred and Thirty
Nine Dollars and Twenty Two cents" amount due me
under decree in said suit of December Term 1871
being one half of my Bond due January 2nd
1871 less one half of costs of sale.

W. R. Gualtrey

W. R. Graetzger's
Receipt

11

Rules of Wight County Court, Dec. 7th 1871.

John C. Thomas for himself & others, Plffs.
vs. In Chancery,
Thomas J. Clements admr. of A. B.
Gwaltney decd, & als. Defts.

This Cause this day came on to be again heard on the papers formerly read, & on the Report of Commissioner N. P. Young under the decree herein of August Term 1871. And was argued by Counsel, On consideration whereof the Court confirming said Report to which no exceptions were filed, doth adjudge order & decree that the clerk of this Court deliver to C. B. Hayden on his filing his Receipt there for the bond of W. R. Gwaltney, A. S. White & John E. Adams for \$272.44 1/2 payable one year from January 2nd 1871. which bond the said Hayden who is hereby appointed Commissioner for that purpose is authorized and required to collect and out of the proceeds thereof pay the unpaid costs of the former sale herein and half of the balance of said proceeds pay to the said W. R. Gwaltney & out of the other half of said proceeds after paying the unpaid costs of this suit pay to

Texanna Gwaltney widow of A. B. Gwaltney
 \$83.50, with interest thereon from the
 2nd day of January 1871. the amount shown to
 be due her as Compensation for dower
 by the Report aforesaid of Comm^r Young
 & the balance of said proceeds retain un-
 til a further order of this Court, tak-
 ing the receipt of said parties therefor
 & return the same to Court with his Re-
 port of said proceedings under this
 Decree, and the Court doth adjudge, or-
 der & decree that a Comm^r of this Court
 take a further account of the transactions
 of Thomas J. Clements Adm^r of A. B.
 Gwaltney, which accounts he shall take
 settle & report to Court with any mat-
 ters specially stated deemed perti-
 nent by himself or required by
 the parties to be so stated.

Attest, Teste,

N. J. Young Clk.

By Est. H. Hart & D. C.

Cts. since decree

for sale -

Clk's fee \$4.96

Comm. Young 10.00

Sub. Chas. \$3.00

\$17.96

Above Cts. of Secretary taken & paid

Cts. paid me J. L. Thomas

Geo. C. Thomas & als,

Copy Decree
of Dec^r Co, Ct.

vs. 1871.

A. B. Gwaltney's adm^r

14

To the Honorable Judge
of the County Court of
Isle of Wight County:

The undersigned special
Commissioner under the annexed decree of said
Court of December Term 1871, in the suit of
Mo C Thomas & Co, reports to the Court that sum =
duant to said decree he collected on the 1st Jan'y 1872
from W R Gwaltney his Bond amounting with int
to that date to \$289.48 & after deducting therefrom
\$11.04 commissions thereon, he paid the said W R Gwaltney
\$139.22 his 1/2 of said Bond less expenses of sale as
of as said as per Statement A annexed -

Am't of Bond Principal & Interest	\$ 289.48
Commissions on Receipts	11.04

2) 278.44

Am't paid W R Gwaltney	139.22
------------------------	--------

That out of the sum of \$139.22 remaining in his
hands after making said payment to W R Gwaltney
you Commissioner paid the unpaid costs of
said suit & the equivalent of down to Tepana
Gwaltney widow of said A B Gwaltney, as directed
by said decree there remains in his hands the sum
of \$30.04, as per Statement B hereunto annexed -

Am't (1/2 of 278.44) in hand of Commissioner	\$ 139.22
--	-----------

Taxed Costs & Fees	17.96
--------------------	-------

Paid Tepana Gwaltney	88.72
----------------------	-------

Am't due Commissioner in last Report	2.30
--------------------------------------	------

Balance in hands of Commissioner	109.14
	\$ 30.04

That your Commissioner holds the said balance
subject to the future order of the Court herein -
The receipts of the parties for said payments are
herewith filed -

All of which is respectfully submitted

Signed C. B. Hayden

Nov 29th 1872 -

Pro C Thomas & Co

vs

A. B. Bradley

Admors ad -

Commissioners Hayden

Report of Collection

Payments under Decree

of Dec Term 1871

A.

An account of the value of the dower of Texanna Gwallney
widow of A. B. Gwallney in one half of the premises sold,
to be computed by a sum in gross.

Gross sales of land 1. Jan. 1848.	\$ 600 00
One half thereof	\$ 300 00
Annual value of said one half	\$ 18 00
One third of said annual value	\$ 6 00
Mrs. Texanna Gwallney being 26 years & 9 mos. old 1. Jan. 1841, her expectation of life is 31 years.	
Present value of \$6. ⁰⁰ for 31 years is	\$ 83 50

B.

The Estate of A. B. Gwallney decd.

In account with Thomas J. Clements administrator

1862

Jan. 4	To disbursements this year per act. recorded	25 84
	" balance due the estate in hand for conf. money	992 46
		\$ 1018 30

1863

July 14	By credits for sales of personal property per. act. made with reference to Conf. Money as standard of value	\$ 1018 30
---------	---	------------

1868

Jan. 4 To disbursements this year per account
of Record, in U. S. Currency \$ 41 82

1868

Jan. 4 By balance due the adm. in U. S. currency \$ 41 82

C.

An Account of all out standing debts or demands
against the said A. B. Gwatney or his estate, with
their respective dignities, with int. included to 4th Jan. 1868.

John C. Thomas acq. of Wm. Gwatney bond	50 00
Int. on same from 10. Jan. 1861	21 05 71 05
Do. acq. of same bond	27 41
Int. on from Apr. 9. 1861	11 07 38 38
Do. Bond	31 28
Int. on from Mar. 29. 1860	14 57 45 85
W. G. Litchcomb act. for	31 00
Int. on from July 1. 1862	10 25 41 25
E. P. Womble act. for	1 50
Int. from July 1. 1861	59 209
	\$ 198 72

Acct. of debts brought on	198 72
E. H. Gray acct.	3 00
Int. on from Jan'y. 1. 1869	1 62 462
J. O. Cifer acct. for	29 06
Int. from July 1. 1860	13 09 42 15
Do. bond for	60 37
Int. from Jan'y. 1. 1860	28 97 89 34
Am. C. Thomas acct. for	32 37
Int. from Jan'y. 1. 1862	11 62 43 99
A. G. Delk bond	58 62
Int. from Apl. 15. 1861	20 38 71 00
Do. acct. for	6 41
Int. from Jan'y. 1. 1862	2 31 87 3
Geo. N. Jordan acct.	5 00
Int. from Jan'y. 1. 1862	1 80 6 80
A. B. Edwards' acct. for	71 75
Int. from Jan'y. 1. 1862	25 83 97 58
Winifred Greeting acct. for	17 00
Int. from July 1. 1861	6 63 23 43
Thomas, Adams & Co. acct. for	37 46
Int. from July 1. 1861	14 60 53 06
Total amt. of debts proved	\$678 61

Commissioners Office Isle of Wight R.S.
October 7th 1871

To the County Court of Isle of Wight County
Pursuant to a decree of the said Court entered on
the 7th day of August 1871 in the suit of John C
Thomas, Administrator on his own behalf and other
creditor of R. B. Gwaltney plaintiff against
Thomas J. Clements administrator of said R. B. Gwaltney
and others. directing the Commissioners of
said Court to take the following accounts
to wit 1st An Account of the value of the
dower of Rebecca Gwaltney widow of
R. B. Gwaltney in one half of the premises
sold to be compensated by a sum in gross.
2^d An account of the transactions of T. J. Clements
as administrator of R. B. Gwaltney 3^d An
account of all outstanding debts against
the said R. B. Gwaltney or his estate with
their respective dignities. These Commissioners
reports to the Court upon the 4th day of
September last. He issued notices to the parties
interested in said accounts, informing them
that he had appointed the 7th day of
October 1871 to take and settle at his Office
aforesaid the said accounts and requiring
them to appear. That he also passed at the

front door of the Court House an two suc-
cessive Court days notice to the Creditors
of the time and place of taking said account
of debts and requiring them to attend and
prove their respective demands that the
notices to the parties were duly executed
and returned. And that on the date of this
report he made up and completed from
the evidence before him the foregoing ac-
counts marked respectively "A" "B" "C" "D"

"A" Account "A" shows the value of the claim
of Joanna Swallow in the land sold as
aforesaid to be \$83⁵⁰ with interest thereon
from the 1st day of January 1867.

"B" Account "B" of the transactions of J. J. Clements
administrator of A. B. Swallow and shows that
on the 1st day of January 1867 there was a
balance of \$995⁴⁰ due the estate in Bonds
taken with reference to Confederate money
as a standard of value and on the 1st day
of January 1868 there was a balance of
\$11⁰⁰ due the administrator in U. S. currency.
In taking this account John Campbell
has excluded the debts credited to the estate
in the account filed as an exhibit with
the Plaintiff bills of the Bonds which com-
pose the balance of \$995⁴⁰ aforesaid the

bond of O. G. Hall and J. W. Gray for \$960.00
has been sued upon and judgment obtained
for \$320.00 with interest from the 1st day
of July 1863 which judgment is still unsatisfied
the balance of the bond have become worth-
less withoutaches on the part of the ad-
ministrator

"C"

Account "C" is of the debts proved against
A. D. Gray's estate and shows the amount
thereof with the interest computed thereon to
the 1st of January 1868. to be \$638.41, and is
taken from the account given as the ex-
hibit with the plaintiff's bill but does
not include the balance of \$118.22 aforesaid
due the administrator which is reported as a debt
of prior dignity

Given under my hand as Commissioner
of said Court the day and year first aforesaid
Time employed 1.0 hour

A. P. Young Com.

Comm. fee . . . \$10.00
Suff. " . . . 3.00
\$13.00

Thomas

3 Com. Rep't.

v. 3 under cover

of Aug. 1871.

Gray's estate, etc.

Octo. 10. 1871. filed

State of Virginia.

Isle of Wight County to wit:

I Geo H Gordon a Justice of the Peace
for the county aforesaid certify that
Texanna Gwaltney widow of A.B. Gwaltney
Deceased personally appeared before me
in my said county & elected to join
in the sale of the land whereof Willis Gwaltney
did seized, directed by the decree of the
County Court of Isle of Wight County
of November Term 1870 in the suit of
John L. Thomas & al. vs. A.B. Gwaltney's Admrs.
& al., & to be compensated out of the
proceeds of sale of said land for her dower
in one half thereof as widow of the said
A.B. Gwaltney.

Given under my hand this
~~day of December 1870.~~

2^d day of January 1871

Geo H Gordon J.P.

\$600
Sold to
Robert G. W. W. W.
T. J. Chubb
C. C.

And to the
Company

In Isles of Wight Quarterly Court. Nov: 9th 1870

John C. Thomas suing on his own behalf and other
Creditors of s^t. B. Gwaltney — plffs:

vs:

Thos. J. Clements adm^r of s^t. B. Gwaltney dec^d,
Leyanna Gwaltney, widow of said s^t. B. Gwaltney
Samuel B. Gwaltney an infant & Willis R.
Gwaltney & Mary E. his wife & L. B. Edwards. Defts:

This Cause this day came on to be heard on
the papers formerly read, & on the report of
s^t. H. White, J. O. Esfer and J. S. Stallings three
of the Commissioners for partition under
the decree herein of
the June term, 1869. & was argued by counsel
on consideration whereof, the Court confirm-
ing said Report to which no exceptions were
filed, doth adjudge, order, & decree that C. B.
Hayden who is hereby appointed Special Com-
=m^r for that purpose proceed to sell, subject
to or inclusive of the dower in one half thereof,
of Leyanna Gwaltney, widow of said s^t. B. Gwaltney
as she may elect, such election to be made
before & certified by a Magistrate and filed
in this Cause, & at public auction at Isle
of Wight Courthouse on some Court day the
land in these proceedings mentioned jointly
owned by s^t. B. Gwaltney dec^d, & Willis R. Gwaltney
consisting of a tract of land containing by

estimation 140. acres, lying adjacent to the
lands of A. L. Moody dec'd, Algernon F. Carroll
and others - being the land whereof Willis
Swattney the father of said A. B. Swattney &
Willis R. Swattney, died, seized & possessed in
the County of Isles of Wight, on a credit of
one and two years, with interest from
date (except so much for cash as will
pay the costs of said suit & sale, inclu-
sive of an Attorney's fee of \$30.00 to C. B.
Hayden for his services in this cause
after having given at least twenty days
notice of the time & place of sale by
advertisement at the Courthouse door
of said County on some Court day
previous to the day of sale & at other
public places in said County, taking
for the credit portion of said ~~land~~ two
Bonds in equal amount with sufficient
security payable to himself as Comm'r,
respectively one and two years from the
day of sale, which Bonds he shall return
to Court, with his report of his proceedings
under this decree; and the Court doth
further adjudge, order & decree that a Com-
-m'r of this Court take the accounts di-
-rected by the Decree herein of June Term
1869. But the effect of this decree shall

be suspended until the said Comm'r,
shall execute and deliver in the
Clerk's office of this Court a Bond
with sufficient security in a penalty
of \$1000.00 payable to the Commonwealth
of Virginia, Conditioned for the faith-
-ful performance of this or any fu-
-ture Decree herein

at Copy

Atto. for att. & tax 30. 50

Clerk. fees 4. 61

Shff. 2. 50

Certs \$ 39. 61

Teste

C. H. Hart, D. C.

Thomas et. al.

Att. { Copy of
Decree

Quallings admors

Moore Co. Ct. 1870.

49500
140
49640

Received of C. B. Hayden Comr. Six Dollars Sixty One
cents Clerk's fees + Two Dollars Fifty cents Sheriff's fees
in within suit making in all Nine Dollars Eleven
cents.

J. C. Thomas

J. S. Young

Clerk's Office, Isle of Wright County, Iowa.
I Certify that the land of Willis H. Walling, Decd., is
refused on bids of the applicant at \$560.⁰⁰/₁₀₀,
To-wit,

June 26th 1891.

J. S. Young Clerk.

To the County Court of Isle of Wight County

The undersigned Commissioner of sale under the annexed Decree of said Court of November Term 1890 in the suit of John C. Thomas & Co. vs. A. B. Gnatthey's Admr. & Co. reports to the Court that pursuant to said Decree, & after the notice required by. & on the terms mentioned in said Decree he exposed to sale at Public Auction at Isle of Wight Court House on the 2nd day of January 1891, being County Court day the land in the proceedings of this suit mentioned when W. R. Gnatthey being the highest bidder became the Purchaser for the sum of \$600⁰⁰, of which amount he paid \$55¹¹ in Cash & for the balance with A. A. White & John C. Adams as his Sureties executed two Bonds each for \$272 ⁴⁴/₁₀₀, payable respectively One Two years from the day of sale with interest from that date, which two Bonds with the Cash Payment aforesaid made the sum of \$600⁰⁰ the sale price of of the land as per

Statement A

Cash Payment	55.11
Bond at One year	272.44 1/2
Do. " Two years.	272.44 1/2
	<u>\$ 600.00</u>

The said sale was made inclusive of the Dower of Texanna Gualtney Widow of A. B. Gualtney in One half of said land, she having elected to join in said sale & to be compensated out of the proceeds, as appears by the Certificate of Geo. N. Jordan a Justice of the Peace herewith filed. The cash payment of \$55.11 was applied in the payment of the costs of this suit as per

Statement B

To Cash paid Printer's Bill	2.50
" Do. Attorney's Tax	20.50
" 1/2 commissions on \$300.00	
@ 5 1/2 Cent	7.50
" Do. @ 2 1/2 Cent on \$300.00	3.00
" Cash for Geo. Thomas Clerk's Tickets	6.61
" Do. paid Do. Sheriff's Tickets	2.50
" Do. paid T. J. Clements Auctioneer	2.50
" Fee for drawing Widows Remuneration	2.50
By Cash Payment	55.11
" Bal due Commissioner as per Debit	2.50
	\$57.61
Balance due Commissioner	2.50

The foregoing land was sold for Partition & hence is not within the operation of the "Act of July 11th 1890 to prevent the Sacrifice of Property," yet the sale price \$600.00 was more than the appraised value

which was \$360.⁰⁰/₁₀₀ as appears from the
Certificate of said Assessment herewith
filed

The Bonds aforesaid & the Receipts of the
grantor's further Payments aforesaid are
herewith filed.

All of which is respectfully submitted
(Signed)

C. B. Hayden

John C. Thomas & Co.

Ps. {

A. B. Gualtney Adm.

Report of Sale
of
Commissioner Hayden

Aug. 7. 1871. Filed

At a Quarterly Court held for the County of Isle of Wight.
the 7th of June 1869.

John C. Thomas, suing for himself & others, Pltffs.
Against 3 In Chancery,
Thomas J. Clements, late Sheriff and admr of A. B. Gwaltney decd,
Lexana Gwaltney (widow) Saml B. Gwaltney, infant, and
Willis R. Gwaltney & Mary E. his wife. Defrs.

This cause in which the Bill is taken for confessed as to the adult defendants Thomas J. Clements admr of A. B. Gwaltney decd Lexana Gwaltney, Willis R. Gwaltney & Mary E. his wife & L. B. Edwards, on whom process has been duly served, they still failing to plead answer or demurr came on this day to be heard on said Bill, the answer of the infant defendant by St. P. Young his guardian ad litem & exhibits, filed, and was argued by counsel, on consideration whereof the Court doth adjudge, order & decree that a commissioner of this Court take the following accounts, 1st. An account of the transactions of said Thomas J. Clements as admr of A. B. Gwaltney decd And an account of the plaintiffs demands and that of all other creditors of ^{said} A. B. Gwaltney, who may choose to contribute to the costs of this suit, taking as prima facia correct the account filed with the Bill subject to be surcharged & falsified by either party, which account the said Court shall state settle & report to Court, with any matters specially stated, deemed pertinent by himself or required by the parties to be so stated, and the Court doth further adjudge, order & decree that Henry Jones, A. H. White, A. F. Carroll, J. A. Stallings & J. C. Cofer who are hereby appointed special commissioners for that purpose any three of whom may act, proceed to divide into two equal moities, having regard to quantity & quality, the land jointly owned by A. B. Gwaltney decd and Willis R. Gwaltney consisting of a tract

containing by estimation acres, lying in the County
of Isle of Wight adjacent to the lands of the late A. P. Moody
and allot one of said equal parts to Willis B. Gwaltney
and one to the estate of said A. P. Gwaltney, setting off
same by metes & bounds. But if said Commissioners should
be of opinion that such partition cannot be conveniently
made and that the interest of those who are entitled
to the subject or its proceeds will be promoted by a sale
of the entire subject, or allotment of part & sale of the
residue, they will so report to Court, with the reasons
on which their opinion is founded, or they may allot
the entire subject to any party who will accept it and
pay therefor to the other parties such sum of money
as their interest therein may entitle them to and in
such case they will report to the Court on what terms
the party agreeing to take the land will hold the same
and in any such event such Commissioners shall
report to Court their proceedings under this decree,
with the fee simple value of said land,

A copy.

Teste A. P. Moody D.C.

Thomas

324 Decr

Gwaltney's adm. tal.

November 4 1863

To the Honorable Court of Isle of Wight county
In pursuance to a decree of said court at its June
term your commissioners therein appointed to review
the land belonging to Willis R Gualtney & proceeded
to review the said land and in their opinion an
equal division of said land cannot be made the
value and location of buildings is such that all
must be given to one party which will render the
other part of little value. your commissioners
therefore would recommend the sale of entire
subject. In pursuance to further instruction
of said decree your commissioners proceeded to value
the entire subject at \$700,00 proposing to Willis R
Gualtney to take the hold by paying to the
Estate of A B Gualtney \$350,00 in two years time
that is to pay \$185,00 the 1st of Jan 1871 \$475,00
the first of Jan 1872 by giving bond with
personally security such as the court may accept
the said Willis R Gualtney having refused to
accept the above proposition in justice to
all parties we advise sale of said land
we further state in our opinion the land
will not sell for more than \$500,00 in
cash All of which is most respectfully
submitted

A. B. White }
J. Cooper } Commissioners
J. A. Stollings }

Thomas
H. J.
Gualtney's Admors.

Report
of
Commissioners for
Partition

Commissioner's Office

Smithfield January 16. 1869

To the County-Court
of Isle of Wight County }

Your Commissioner reports
to the Court that on the 6 day March 1864 at the
request of Thomas J. Clements Sheriff of the County
of Isle of Wight & as such Administrator of the
estate of C. B. Swattun deed he appointed
the 14 day of April 1864 at his office in the
town of Smithfield for receiving proof of debts or
demands against the said Decedent or his estate
& posted a notice of such time & place to the Creditors
of said estate & all others concerned at the front
door of the Mill Swamp Church when the County
Courts of this County then met. On the first day of
his successor term of the County Court of said County
to wit at the March April Term 1864. That the
several Creditors of the said estate whose names are
mentioned in the foregoing account appeared
before the Commissioner at his said office upon the
day specified in the notice & exhibited & proved to
the satisfaction of your Commissioner their several
debts or demands against the said Decedent or his
estate as set forth in the said account. Upon which
interest is consented to the 4th day of January 1868,
on which date the account of the said Administrator
is closed & on which date he finds the aggregate
amount of said debts (all of which are of equal
debtors) to be \$638.51. Given under my hand,
as Commissioner of the said Court the day & year
first aforesaid

C. B. Haydon
a copy. A. D. Chandler

*An Account of Debts
Against the Estate of A. B. Swatley Dead.*

John C. Thomas assignee of			
Winnifred Swatley Bonds for	50.00		
Interest on from January 10/61	21.05	71.05	
Do. Assignee of same Bonds for	27.41		
Interest on do from April 9/61	11.07	38.48	
Do. Bonds for	31.28		
Interest on from March 29/60	14.57	45.85	
Dr. W. J. Lifescumb for. acc-	31.00		
Interest on do from July 1/62	10.25	41.25	
E. F. Womble acc	1.50		
Interest from July 1/61	59	2.09	
E. H. Gray acc	3.00		
Interest from January 1 1869	1.62	4.62	
J. O. Kofer acc.	29.06		
Interest from July 1. 1860	13.09	43.15	
Do. Bonds	60.37		
Interest from January 1/60	28.97	89.34	
J. C. Thomas acc	32.27		
Interest from January 1 1862	11.62	43.89	
A. B. Bell Bonds	50.62		
Interest from April 15. 1861	20.38	71.00	
" acc	6.41		
Interest from January 1 1862	23.1	7.72	
Dr. Geo. W. Jordan acc	5.00		
Interest on do from Jan. 1/62	1.80		
L. B. Edwards acc	71.75		
Interest from January 1/62	23.83	97.58	
Winnifred Swatley acc	17.00		
Interest from July 1 1861	6.63	23.63	
Thomas Adams & Co acc	37.46		
Interest from July 1 st 1861	14.60	52.06	
Total Amount of Debts proved		638.51	

An Aff
of Debits
Against the Estate
of
A B Gwatney.

Debits have been made for
\$940.00 on which has
been paid quarterly in
adv. at. for \$320.00
with a title for 11th of
June 1869 -
The following is a list
of the same.

Jan 16, 1869.

The Estate of A. B. Savotly Deceased

In account with Thomas S. Clements his Administrator			
1863	Jan 5	To Cash paid Clerk Nichols on Administration	1.20
	" "	" " Taxes for 1862	5.84
	" "	" " do to Madson Edwards for removing negro Woman Angelina out of Emorys lines.	10.00
	" "	" S. Betts & Francis of do	5.00
	" "	" R. H. Pelly Surveys at Sale	2.00
	" "	" Commissions on \$36.05 - only portion of assets Collected	1.80
1864	Jan 4	" Balance due Estate as per Contra in Confederate Money of principal	1020.46
	" "	" do of Interest	29.08
		<u>\$ 1046.30</u>	<u>29.08</u>
Per			
1863	July 14	By Amount of Sales of personal estate due this date	1018.30
	" "	" Intestate portion of rents for 1862.	8.00
	" "	" do " " 1863.	20.00
1864	Jan 4	" Interest on \$1020.46 from July 14 th 1863 to date -	29.08
		<u>\$ 1046.30</u>	<u>29.08</u>
1868		To Amount retained to pay Attorneys	
	" "	" " " " Tax in Sale of Dist. & Gov	6.50
	" "	" do Sheriff & Clerk fees in do	4.00
	" "	" do Commissioners fee for this Sale of Datto and Copy of same	7.25
	" "	" do Clerk's fees for recording do	2.50
	" "	" Commission on \$340.15 -	17.00
	" "	" do " " \$91.34	4.57
1864	Jan 4	" Balance due estate in Currency of principal as per Contra	323.15
	" "	" do of Interest	66.52
		<u>\$ 340.15</u>	<u>91.34</u>

1864
 Jan 4 By this Amount due Estate on this
 Date in Confederate Money
 \$1020.46. Equal in Currency to \$340 15-
 do of Interest \$29.08
 Equal in Currency to 9.70
 " Interest on \$340.15 from January
 4. 1864 to date 81 64
 \$340 15 91 34

1868
 Jan 4 Balance due Estate of Principal \$323 15-
 " " do of Interest 66 52
 \$389 67

The above Balance of \$389.67 is obtained by
 scaling at the Value of Confederate Money in January
 1863 the date of the execution of the Bonds,
 of scale of the value in July /63 when the Bonds
 were due. the Balance will be as follows.

Principal 107 72
 Interest 22 17
 \$129 89

Commissioner's Office

Smithfield January 13th 1869
 To the County Court of Seale & High County
 Your Commissioner reports to Court that Thomas
 J. Clements the Administrator of A. B. Bryant
 on the 7th March 1864 exhibited before him a statement
 of all monies received by the said Administrator or
 with which he has become Chargeable or Disbursed,
 during the period embraced in the foregoing ac-
 count with the vouchers in support of the disburse-
 ments. That he finds a balance of \$389.67 (Three
 Hundred & Eighty nine Dollars & Sixty seven
 Cents) to be due by the said Administrator to the said
 Estate on the Fourth day of January 1868. If the Confed-
 erate Bonds are scaled according to their value in
 January 1863 when they were executed & according to which
 the Bonds of O. G. Belts for \$900.00 on which judgment
 was obtained was scaled. It scales in July 1863 when
 the Bonds were due the Balance due the estate will
 be \$129.89. The foregoing judgment owing to the stay
 is still unsatisfied. That the said account is
 supported by satisfactory vouchers, and that the said
 Administrator has given such bond as the law requires.
 The penalty and securities whereof are sufficient
 That the said Administrator was embraced in the
 list of fiduciaries, whose accounts were before him for
 settlement posted at the front door of the Court House
 of Seale & High County on the 1st day of March Court
 1864 and on the date of this report (ten days having
 elapsed since the same was thus posted) the foregoing
 account was made up and completed.
 Given under my hand as Commissioner aforesaid
 the day and year first aforesaid

L. B. Haydon
 a copy. Test A. D. Youngblood. Commissioner

The Estate of
A B Gwalling
In as with
J L Clements his Adm.

Jan 12, 1869

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting:

We command you to summon *Thomas J. Clements* admor. of *A. B. Gwatney* decd., *Tefama Gwatney* widow of said *A. B. Gwatney*, *Samuel B. Gwatney* ^{an} infant, and *Willis R. Gwatney* and *Mary C.* his wife & *L. B. Edwards*, to appear at the Clerk's Office of the *County* Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *March* next, to answer the Bill in chancery of *John C. Thomas*, suing on his own behalf and that of the other creditors of said *A. B. Gwatney*.

~~A~~ plea of ~~for \$~~ Damages, \$ ~~And~~ have then there this writ. Witness, N. P. YOUNG, Clerk of our said County County Court, at the Courthouse, the *13th* day of *February* 18 *69*, in the *93^d* year of the Commonwealth.

N. P. Young Clk.

Presented by delivery a true copy of the
letter to Thos J Clements Jesuina Gualtney
Mrs B Gualtney & Mary E his wife & B
Edward) Feb 26th 1869

Wiley E Powell Esq
for E S Eley Esq

Pro. L. Thomas for
himself & others.

E. Thomas to ans.
will

J. Clements, agent of
a. B. Gualtney & wife.

To March 1869,

Geo. B. B.

Stoughton, Mass.

To the Worshipful Masters Court of Isle of Wight
Solely in Chancery sitting; The answer of Samuel
S. Guttery infant orphan of S. S. Guttery deceased
by M. P. Young his guardian ad litem. To the bill
of complaint in said Court exhibited by
John C. Thomas against him & others.

This defendant answering says that he is an
infant under 21 years of age & submits his
interest in the premises to the protection of
this Worshipful Court. And having answered
he prays leave to be dismissed with his costs
in this behalf expended & he will ever
pray &c. —

M. P. Young J. W. ad litem

Thomas

No 1

Mr. Chauncy

Mr. Tracy, Adm.

et others

Infants. Answer

To the Worshipful County Court of Isle of Wight County
in Chancery sitting; Humbly complaining sheweth to
the Court your complainant John C. Thomas who sues
on his own behalf & that of all other creditors of
A. B. Gwaltney deceased who may choose to become
parties to this suit on condition of contributing to
the cost of the same, that heretofore in the
lifetime of the said A. B. Gwaltney to wit on the
29th day of March 1861 the said A. B. Gwaltney made
his certain writing obligatory sealed with his seal
the date whereof is the day & year last aforesaid whereby
he promised to pay on demand to the said plaintiff
the sum of \$31-28 - that on the 7th day of January 1861
the said defendant made his certain other writing
obligatory sealed with his seal the date whereof is
the day & year last aforesaid whereby he promised
to pay on demand ^{one day after the date thereof} to one Winifred Gwaltney the sum
of \$50.00 which writing obligatory the said Winifred
Gwaltney on the day & year last aforesaid for value
received by her written endorsement thereon subscribed
with her name assigned to your said complainant.

That on the 7th day of Jan 1861 the said A. B.
Gwaltney & one L. B. Edwards made their certain
writing obligatory sealed with their seals the date
whereof is the day & year last aforesaid whereby
they promised to pay to one Winifred Gwaltney three
months after the date thereof \$27-41; Which writing
obligatory the said Winifred Gwaltney for value
received assigned to your said complainant by

Exhibit
A B C & D.

written endorsement thereon subscribed with her name. That the said A B Gwatney on the 1st day of Jan^r 1842 was further indebted to your said complainant by open account in the sum of \$32.27 for money paid by the said complainant for the use of the said A B Gwatney at his request & for the use & occupation of land by the said A B Gwatney rented by him of the said complainant, which

books & account respectively marked A, B, C, & D are herewith filed & prayed to be taken as a part of this bill. - That the said A B Gwatney on the day of departed this life intestate in the county aforesaid, & at the term 1846 of the County Court of said County his estate was committed for Administration to one Thomas J Clement, then Sheriff of said County - That the said intestate left a small personal estate insufficient for the payment of his debts, that the said administrator has returned an account of his transactions on the estate of his said intestate, showing a balance due on the 4th day of Jan^r 1846 \$ from said Administrator to

Exhibit
E

said estate ^{of \$ 389.57} as will appear from an official copy of said account marked E, ^{herewith filed &} prayed to be taken as a part of this bill. That at the request of said Administrator an account has been taken of the outstanding debts & demands against his intestate estate - which account regularly taken & confirmed shows the said outstanding debt against said

Exhibit
of

estate amount to the sum of \$ 638.51 a certified copy of said account of debts marked F- is herewith filed & prayed to be taken as a part of this bill. That at the time of the death of said intestate he was as joint coparcener (each being entitled to an undivided moiety thereof) with one Willis R. Gwaltney to a tract of land in said County lying adjacent to the lands of the late S. L. Moody

That your complainant's debts aforesaid are still due & unpaid - never having been paid although often requested either by the said intestate in his lifetime or by his said Administrator since his death either to your complainant or the said Winifred Gwaltney & that the said Administrator still refuses to pay the same or any part thereof to your complainant. That the balance aforesaid due by said Administrator to his intestate's estate consists of Bonds due by the purchasers of chattel property of said intestate on which Bonds the said Administrator has obtained judgments and docketed the same that owing to the stay law the amounts due on said judgments have not been realized, that since said judgments were obtained some of said judgment creditors have filed their petitions in Bankruptcy & the said judgments are of doubtful recovery, that the said intestate left a widow Teranna Gwaltney -

+ an infant child Samuel B. Gwatney.

That your complainant is informed, & so charges that in default of the insufficiency of the personal estate the intestates moiety of the land aforesaid may be set apart & sold for the payment of said debts or if partition cannot be made of said land the whole tract may be sold & the intestates portion of the proceeds appropriated to that purpose.

In tender consideration whereof, & for as much as your complainant is without remedy at law, & can only be relieved by this Willsheffal Court of Chancery, where matters of this sort are cognizable, to this end your complainant prays that the said Thomas Clements Administrator of the said A B Gwatney, Texanna Gwatney, L B Edwards, Willis R Gwatney & Mary E - his wife & Samuel B Gwatney by some one appointed his guardian ad litem to defend him in this suit may be made parties defendant to this bill, & be required to answer the same. That an account may be taken of your complainants demand and that of all other creditors of said intestate who may choose to become parties to this suit upon condition of contributing to the cost of the same, & that the personal assets of said intestate may be applied to the satisfaction of said debts & demands, & if they should prove insufficient for their payment in full, that the intestates moiety

of said land may be set apart & sold subject
to or inclusive of the said widow's dower as she
may elect & the proceeds of said sale or the
intestates portion thereof may be applied to the
payment of said debts or if partition cannot be
conveniently made of said land that the whole
tract may be sold, subject to or inclusive of
said widow's dower & the intestates portion of
said proceeds applied as aforesaid & that such
other & further relief may be granted in the
premises as to the Court may seem meet & as
may suit the equity of the case & your
complainant will ever pray. &c.

Hyden Jr

Sept. Contd.

Octo. Contd.

Nov. Contd.

Dist. - Deem to collect &

Contd. from Dist. 1871 to
Nov. 1872.

Dist. 1872 - Deem for further
collection & for dist.

Jan. 22. 1873. Contd.
(report filed).

Contd. at each ct,
to Octo. 1875 and
Hence Deem

Thomas

vs. $\frac{3}{1}$ Bill &c

Gwatney's adm. sal.

March Rules 1869.

Bill &c. filed - Sum. Exd.
& deem nice n. adult o.
Gard. addition of p. infuta les
am. filed & rept.

May Rules - Bill taken
for confessed & set for
hearing.

June 7. 1869 - Deem
for partition &c.

Act.
Rept. of cont. of partition
filed & Contd.

Nov. Ct. 1870 - Deem
for sale &c.

Decr 1871 - Deem
for acts &c.

Hayden

Thomas

vs

Gwatney's Admr } In Chancery

Complainant: Bill