

1879-002 Chancery Causes : William M Crocker, extor / Camilla Davis v d vs Fenton Davis v d
Dale of Wright County Petition of A. J. Edwards Folder 1

Emily Davis' extor v d vs Fenton Davis v d

will : 1850, Dawson Davis, Surry County

other surnames Atkinson
Gibbs, Hayden, Randolph
Graves, Parkinson,
Glover, Parkerson, Brock
Latimer, Casey, Smith,
Jordan, Vail, Thomas,
Howell, Young, King,
Jones, Cocks, Nelson

In Esle of Wight Circuit Court, May 27th 1874,

Wm. M. Cro. & others

Plffs.

vs. J. C. Chauncy

Henton Davis and others

Defts.

This cause, in which it is suggested that since the last decree herein, the said Henton Davis has departed this life, and administration of his estate has been granted to Caroline Davis, and that Francis Smith Sheriff and adm^r. de bonis non with the will annexed of Camilla Davis, has died, it is ordered that the said estate be committed to L. B. Edwards Sheriff of Esle of Wight County, and with the consent of the said Caroline Davis that this suit proceed against her as adm^r. of Henton Davis, and with consent of said L. B. Edwards proceed against him as adm^r. de bonis non with the will annexed, Came on this day to be again heard on the papers formerly read, on the petition of A. J. Edwards, and on the report of Com^r. Atkinson, and was argued by counsel: On consideration whereof the Court by consent of parties doth confirm said report to which no exceptions were filed, and doth adjudge, order and decree that the said A. J. Edwards be permitted to share with the

other general creditors of W. A. J. Davis in the distribution of his assets, and that Comrs: L. B. Hayden & G. R. Atkinson on filing their receipts therefor, do receive from the clerk of this Court the bond of E. W. Gibbs and Jos. F. Frazier for \$107.⁵⁷ with interest from the date thereof, returned with the reports of sale herein of said Comrs, the certificate of deposit of the Farmers and Merchants Savings Bank for \$287.⁸⁰ and the certificate of deposit of the said Bank for \$114.¹⁰ returned with the reports of collection and deposit herein of said Comrs and proceed to collect the same, and after paying the unpaid costs of this suit, pay of the proceeds of sale of the Shop Tract one eighth to Caroline Davis admr: of Fenton Davis: and two eighths to L. B. Edwards admr: de bonis non with the will annexed of Camilla Davis: that of the proceeds of sale of the Thomas Davis tract, then pay to L. B. Edwards admr: de bonis non of Mary Parkinson ($\frac{4}{24}$) four twenty fourths: to L. B. Edwards admr: de bonis non of Hardy Davis ($\frac{5}{24}$) five twenty fourths: to Caroline ^{Davis} admr: of Fenton Davis ($\frac{5}{48}$) five forty eighths: to L. B. Edwards admr: de bonis non with the will annexed of Camilla Davis ($\frac{20}{48}$) twenty forty eighths; and that they apply the balance of said funds to wit: five eighths of the proceeds of the Shop Tract, and five forty eighths of the Thomas Davis tract, together

with the remaining half of the Dawson Davis tract,
to the payment of the debts of W. A. J. Davis as reported
by Leon J. Young in his report herein of Febru-
ary 21st 1873, and then to A. J. Edwards, and make
report of their proceedings under this decree,
And it is further adjudged, ordered and decreed
that on the payment of the said bond by the said Ro-
bert W. Gibbs, the said L. B. Hayden and George R.
Atkinson who are hereby appointed special Comrs
for that purpose shall execute and deliver
to the said Robert W. Gibbs a good and sufficient
deed in fee simple with special warranty
for the tract of land purchased by him for the
sum of \$125.⁰⁰, being the tract of land situated
in Cole of Wright of which Thomas Davis died
seized,

Attest,
Teste,

L. H. Hart, D. C. for
N. P. Youngclerk

Clerks . . . \$8.01
Clerk, Young 14.00
Clerk, Atkinson 5.00
Shff. 3.50 A. B. Edwards Shff
Costs — 30.51
unpaid

Certificate of Deposit of Farmers & Merchants Savings Bank

Deposits paid to Arthur Davis by check of bank	143 90		
Interest on same to August 1874.	19 23	163 13	
Amount of M. A. Barker. & Interest to Aug 3 rd 1874.		157 94	
Amount of R. W. White & Interest to August 3 rd 1874		121 70	
Amount of R. W. White & Interest to August 3 rd 1874		245 27	
Certificate of Deposit of Farmers & Merchants Savings Bank & Int		120 69	
		818 73	
Paid bank fees ^{7th 6th 18th 07}	N. D. Young	21 24	
" Sheriff's Fees		3 50	
" Do		3 50	
" Bank Young	N. D. Young	15 00	
" Bank Robinson	Bank Dr. Robinson	19 00	
" paid for writing 3 deeds. & certifying same in p. paid C. B. Hayden		18 00	
" paid to B. Hayden Attorney fee Paid C. B. Hayden		20 00	
" Geo. Robinson do " Geo. Robinson		20 00	
" A. Young Esq. of Wm. W. Barker debt		82 39	
" C. B. Hayden & J. Graves Esq. paid C. B. Hayden		99 03	
" Caroline Davis admr of Arthur Davis for statement A.		12 84	
" do " " " " B		10 79	
" L. B. Edwards " " Caroline Davis " A		28 68	
" Same " " do " " B		43 16	
" Same " " Mary Robinson " B		17 25	
" Same " " Hardy Davis " B		21 58	
" Robert White out proceeds of sale of Maryland " C		208 48	441 44
			167 29
Paid Robert White his pro rata share on balance of his debt \$399 ²²		137 14	
" A. Edwards " " " " " 88 ⁴⁸		30 15	
		167 29	167 29

A

Certificate of deposit of Farmers & Merchants Savings

Bank being proceeds of Sale of Shop tract

Subst on same to August 3rd 1873.

112 10

1 59 12 11

120 69 17 53

Left its share of costs of Suit

17 97 102 72

Rev Caroline Davis admr of Fenton Davis

12 84

" L B Edwards admr de bene eam of Camilla Davis

25 68

Ant for distribution among creditors of Wm A Davis

14 20

102 72 102 72

Statement B.

Bond of R W Gibbs and

being pro

ceeds of Sale of the "Thomas Davis tract"

107 57

Subst on same to August 3rd 1874

14 13 121 70

Left its share of the costs of Suit

18 13.

103 57

Rev L B Edwards admr of Mary Parkinson

4/24 17 25

" Same " " Hardy Davis

5/24 21 58

" Same " " Camilla Davis

10/24 43 16

" Caroline Davis " " Fenton Davis

5/48 10 79

Ant for distribution among Wm A Davis creditors, 5/48

10 79

103 57 103 57

Statement C

Bond of R W Gibbs and

being proceeds

of Sale of Farm land as Richard Gibbs had a lien for his debt

200 00

Subst on same to August 3rd 1874

45 27 245 27

Left its share of the costs of Suit

34 79

Ant to credit of R W Gibbs debt.

208 48.

We the undersigned have respectively received from
 G B Atkinson and C. B. Hayden commrs in suit of
 William H. Crocker et al v Fenton Davis et al, the
 sums opposite our respective names.

1 Ro W. Gibbs	137 14
Ro W. Gibbs	208 48
A. P. Gungadon. Wm. Crocker	82 89
Administrators Caroline C. D.	23 13
Davis. Adms of Fenton Davis	
L. B. Edwards adms. of Mary Richardson	17 25
L. B. Edwards Adms of Cornelia Davis	68 84
L. B. Edwards adms of Henry Davis	21 58
Chas. Atkinson atty for L. B. Edwards	30 15
H. H. Handogers 245 of J. H. Young	46 16
C B Hayden of Fudge & Co.	52 87

To the Circuit Court of Sale of Wright County
The undersigned Clerk under the
annexed decrees of said court respectively
of October Term 1873 and May term 1874, in
the suit of Crocker et al vs Davis et al
report to court that pursuant to said decrees
they collected the certificates of deposit and
bonds named in said decrees, and paid out
the same as per statements A. B. C. & D
herewith annexed, showing that the gross
collections from said certificates and bonds
amounted with interest to August 3^d 1874,
to \$8082³. The receipts of the parties for
said payments are herewith filed.
Your court executed the order required by
said decrees;

all of which is respectfully submitted

Signed

Geo. A. Johnson Clerk

C. B. Hayden, Comr

Crocker et al

77

Davis et al

Report of G. B. Atkinson &
C. B. Hayden of
Collection & description
under Decree of October
Term 1878 & May Term 1874

Sept. 7, 1874 - filed.

In Eslof Wight Circuit Court. May 17th 1880.

Wm M. Crocker &c. et als.

Plffs.

vs. } In Chancery.

Henton Davis et als —

Defts.

This Cause in which the death is suggested of William M. Crocker, Com-plainant in his own right & as Exor: of Emily Davis, & of the qualification of N. P. Young as admr. of said Wm M. Crocker & of Francis Smith administrator de bonis non with the will annexed of Emily Davis. It is, or-dered that this suit be revived in the name of said N. P. Young, admr. of Wm M. Crocker & of said Francis Smith admr. de bonis non with the will annexed of said Emily Davis. Came on this day to be again heard on the papers formerly read, & on the Report of G. L. Edwards, B. Jones & J. W. Turner, three of the Commissioners for partition of the lands in these proceedings mentioned in the County of Eslof Wight; And of Geo. H. Clarke Wm. H. Warren & of Thomas B. Bell, three of the Commissioners for partition of the lands in these proceedings mentioned in the County of Surry, under the decree herein of October term 1869. It was argued by Counsel on Consideration whereof, the Court Con-firming said reports, to which no excep-

tions were filed: doth adjudge, order & decree, that Geo. R. Atkinson & H. B. Hayden who are hereby appointed, Special Comm^{rs} for that purpose proceed to sell at public auction at Isle of Wight Courthouse on some Court day, 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, the tract of land in the County of Isle of Wight containing by estimation thirty acres, adjacent to the lands of W^m M. Crocker, Sampson Banks, & Jas. T. Cocks, devised by the will of Dawson Davis; the mansion house tract in said County devised by the will of Catharine Davis adjacent to the lands of W^m M. Crocker, & shop tract as bounded by the report aforesaid by line ~~midway~~ midway between the Mansion house & the shop, Commencing at a Locust post on the road running to a sweet Gum on the opposite side of the field, the tract of land in said County, containing by estimation thirty acres, whereof Thomas Davis died seized in the County aforesaid, adjacent to the thirty acre tract, aforesaid devised by the said Dawson Davis. And at Surry Courthouse on some Court day, after having

given at least twenty days notice of the time
 & place of sale by advertisement at the Court
 House door of said County, on some Court day pre-
 vious to the day of sale & at other public places in
 said County, that portion one moiety of the
 land in said County whereof Hephie Nelson died
 seized & possessed in the said County, allotted to the estate
 of said Wm. A. J. Davis by the report of Commrs. G. T.
 Clarke, W. A. Warren, & T. B. Bell, & bounded therein
 as follows. to wit: all that part of the said tract
 * Commencing at a line pine between the said
 tract & Wm. Wilson's land, near the fork of the
 Road leading to Davis Old landing on Lawns Creek,
 & running in a Southeasternly direction, by a line
 of marked trees, nearly parallel with the Road
 leading to the said landing, but crossing it at
 one or two points, to a small Spruce pine
 standing immediately on the North Side of said
 Road; thence nearly a due South course by a line
 of marked trees to a large poplar standing imme-
 diately on the side of the stream, & near the source
 of a Swamp near Haywood's Cabin; thence
 down the main run of said Swamp to Lawns
 Creek, adjacent to the land of —————
 On a credit of twelve months with interest from
 the day of sale, except so much for cash as
 will pay the costs of this suit, & said Sale, in-
 clusive of an Attorneys fee of thirty dollars

Recd Twelve Dollars and
for entry one bond my share of
Commissions Geo. K. Atkinson

Recd Thirty Dollars my fee in this suit -
Geo. K. Atkinson
Recd of Mr. C. B. Hayden ten dollars
for his act - for sale of Davis land as done
in Dec. of 1870 - Nov. 20th 1870 G. W. Pratt

each to G. K. Atkinson & C. B. Hayden for their services
in this Cause, taking for the credit portion of
said sales bonds payable to themselves as Comrs
twelve months from date with interest from
date, with sufficient security, & return said
bonds to court, with their Report of their proceed-
ings under this decree. But the effect of this
Decree shall be suspended as to said sale until
said Comrs shall execute in the Clerk's office
of this court a bond with sufficient security in
a penalty of one thousand dollars payable to
the Commonwealth of Va. Conditioned for the faithful per-
formance of this or any future Decree herein.
And the court doth further adjudge order & decree
that a Comr of this court take an account of the
transactions of Wm. M. Crocker as the Exor.
of Emily David de. aforesaid, & ascertain which
of the legacies bequeathed by her said will are
due & unpaid. In taking which account the
Comr shall take as prima facie correct subject to
be discharged or falsified, any account of the
transactions of said Wm. M. Crocker as Exor. aforesaid
that may have been confirmed by the County Court
of Allegheny County, which account the said Comr
shall take settle & report to court with any matters
specially stated deemed pertinent by
himself or required by the parties to be so
stated.

A Copy

Teste

A. P. Gormy Clerk

Atkns.	for & to	\$60.50
clerk		6.50
Atkns.		3.50
costs		\$70.50

To the Circuit Court of Sol of Wight County

The undersigned commissioners of Sale under the annexed Decree of the Circuit Court of Sol of Wight County of May Term 1870 in the suit of W. M. Crocker vs. D. S. Davis & al., report to the Court that Pursuant to said Decree they exposed to sale at Public Auction at Sol of Wight Court House on November the 7th 1870 being Court day the land in said Decree mentioned lying in the County of Sol of Wight, after having advertised the same as required by said Decree, at which Sale James S. Crocker being the highest bidder became the Purchaser of the Dawson Davis Tract of 30 Acres for the sum of \$340⁰⁰, of which he paid \$300⁰⁰ in cash & for the balance \$40⁰⁰ with P. D. G. Mattingly & J. G. Delk as Sureties executed his Bond payable Twelve Months from date with interest from date & R. W. Gills being the highest bidder became the Purchaser of the Thomas Davis Tract, ^{of 30 Acres} for the sum of \$25⁰⁰, of which he paid \$17⁴³ in cash and for the balance of \$7⁵⁷ executed his Bond with Joseph S. Frazier as Surety payable Twelve Months from date with interest from date; and M. L. Crocker being

the highest bidder became the purchaser of the "Mansion House Tract" for \$146.⁰⁰, of which amount she paid \$17.⁴³ in cash and for the balance \$129.⁰⁰ executed her Bond with Eugenia S. Crocker and Georgie C. Bullington as Sureties as per

Statement A.

R. W. Gibbs Thomas Davis Tract

Cash Payment	17.43	
Bond.	107.57	125.00

James S. Crocker Dawson Davis Tract

Cash Payment	30.00	
Bond	270.00	300.00

M. L. Crocker Mansion House Tract.

Cash Payment	17.00	
Bond	129.00	146.00
	<u>\$571.60</u>	<u>\$571.00</u>

The Bonds aforesaid are herewith returned. The cash payments were applied to the payment of the costs of suit and sale, as per

Statement B

R. W. Gibbs cash payment	17.43	
M. L. Crocker	17.00	
James S. Crocker	30.00	Total cash payment \$64.43
Chas. Hayden Att. Fee & Tax	30.50	
Clks. Fees	7.51	paid A. P. Gormy adw.
Sheriffs Do.	3.58	paid A. P. Gormy adw.
Auctioneer	10.00	
Spec. At. Commission on \$50. ⁰⁰ with		
Lenny Land \$5.00	2.50	
2 per cent. on \$521. ⁷⁵	10.42	\$64.43

The Receipts of the Porters for the said
Fragments are here with filed

All of which is respectfully submitted

(Signed) C. B. Hayden

W. K. Thompson

J. M. Crocker & als.

H.

Davis & als.

Report
of
Commissioners of Sale
of
Land in Isle of Wight

Received of the clerk of the
Circuit Court of Isle of
Wight County the within
named copy of M. L.
Crocker & R. W. Subinger the
Deeds of the Clerk of October
Term 1873 & May Term 1874

C. B. Gordon Commr

To the Court and Court of Sale of High County

Pursuant to a decree of the Court and Court of Sale of High County rendered on the 11th day of May 1872 in a suit in chancery depending thereon between W. M. Crockett & others plaintiffs and James I. Crockett & others defendants the undersigned commissioners report that as directed by said decree they withdrew from the Clerk's office of said court the bond of James I. Crockett of Two Hundred and Seventy Dollars, and which bond the said James I. Crockett paid on the 11th day of May 1872 together with the interest thereon amounting in all to Two Hundred and Ninety four ³⁰/₁₀₀ Dollars, and thereupon they delivered to the said James I. Crockett a good and sufficient bond for the purchase of which the said bond was given, that after paying the sum of Five Dollars and fifty cents for recording, certifying and stamping said bond they placed the balance amounting to Two Hundred and Eighty seven ⁸⁰/₁₀₀ Dollars to the credit of said cause in the Farmers & Merchants Savings Bank, Southfield, taking from the balance of said bond except therefor which is herewith returned, all of which is respectfully submitted.

C. B. Hayden

Commissioner

James I. Crockett

Crocker ^{left}
up

Canislate

Report of Commis:
Liam Hayden &
Attorney of Collec:
tion & Chapin &

Recd of the clerk of the
circuit Court of Sale of
High County the within
named certificate of
deposit under the
decree therein of
May term 1874
C B Hayden
Clerk

Commissioners Office Smithfield
November 20th 1873.

In Sale of Right Current Court October 22nd 1873,

Wm. W. Benson and others,

Plaintiffs

vs

In Chancery

John Davis and others

Defendants

The following is a recital of the decree rendered in the said cause, and the court's further judgment was it decreed that commissioners of this court shall visit, settle and report, who are entitled to and what are their respective shares in the proceeds of sale of the tracts of land in these proceedings mentioned and known as Turkey Tract, devised by the will of Catherine Davis and Lemuel or Emily Davis, the Tract of land of 30 acres devised by the will of Dawson Davis and the tract of land devised by the will of Thomas Davis.

All parties interested are hereby notified that I have fixed upon the 17th day November 1873 at my office aforesaid as the time and place for taking the said account, at which time and place they are required to attend.

Given under my hand as a commissioner in chancery of the said Court the day and year first aforesaid

Chas. Richardson Clerk

Enckinstals

as

Amat. rals

presented by delivery
to the within named
Caroline Davis
a true copy of the
within notice
Decr-4. 1873

R. A. Edwards & pt-
for A. M. Edwards & pt-
Caroline Davis. Clerk

R. A. Edwards & pt-
for A. M. Edwards & pt-

In the High Circuit Court, Calo; 2nd 1873,

Wm. M. Crocker &c. vs. others

Pliffs

vs.

Zenobey;

Nelson Davis, &c.

Defts.

"And the Court doth further adjudge
order & decree that a Commissioner of this Court
shall state settle and report who are
entitled to, and what are their respec-
tive Shares in the proceeds of sale
of the tracts of land in these proceedings
mentioned, and known as the "Gosh
Tract"; devised by the wills of Catharine
Davis and Camilla or Emily Davis, the
Tract of land of 30 acres devised by the
Will of Dawson Davis, and the tract of
land devised by the will of Thomas Davis,
together with any matters specially stated
deemed pertinent by himself, or required
by the parties to be so stated."

Extract Teste,

C. H. Hart, J. C.

Crocker & Co.,
Vols. { Extract from
 { Decree Octo:
 { Cir. let: 1873,

Davis et al.,

For Comm. in Chgo.

Commissioners Office Southfield

May 12th 1874-

To the Honorable Court of Sale of Wright County-

The undersigned, a commissioner in chancery of the said court to whom was referred for settlement by a decree rendered thereby on the 23rd day of October 1873 in a suit in chancery depending therein between ^{Wm} M. Brooks and others plaintiffs and Fenton Davis and others defendants, an account showing who are entitled to, and what are their respective shares in the proceeds of sale of the tracts of land in the proceedings mentioned and known as the Chop tract devised by the will of Leatharine Davis and Camilla or Emily Davis, the tract of land of 30 acres devised by the will of Dawson Davis, and the tract of land devised by the will of Thomas Davis, reports to the court that on the 20th day of November 1873 he issued notices against the parties aforesaid requiring them to attend the taking settling and reporting of the said account at his office aforesaid on the 17th day of December which were returned to your commissioner duly served and acknowledged by the parties, and on the date of this report your commissioner finds that of the Proceeds of Sale of the "Chop tract" -

Chop
tract

William A J Davis is entitled to five eighths.

Fenton Davis is entitled to one eighth

Fenton Davis is entitled to Two eighths subject to the payment of legacies bequeathed by the will of Camilla or Emily Davis

That of the proceeds of Sale of the tract of 30 acres devised by the will of Dawson Davis. William A J Davis is entitled to one half and

Fenton Davis to one half in full of which the sum of One hundred and

fifty three ^{39 Dollars} ¹⁰⁰ have been paid to the said Fenton Davis under a decree of the County Court of Sale of Wright County rendered in this cause at the June term 1873.

That of the proceeds of Sale of the tract of land devised by the will of Thomas Davis. L B Edwards administrator of Mary Parkinson ^{is entitled} to four twenty

fifths (4/25) to L B Edwards administrator of Hardy Davis five twenty fourths (5/24) Fenton Davis to ²⁵ 1/48. ²⁰ 1/48 is owed from Camilla Davis and subject

Dawson Davis
tract of
30 acres

He gave us by his last will, £100, A. D. 1548.

Aforesaid

Mr. Robinson

4 -
Came employed Thomas, \$5.

Bookings advd

Comprehensive Report of

Receipts

David & others

Commissioner's Office, Isle of Wight Court House
Sept. 19th 1847.

To the Circuit Court of said county.

Your commissioner reports to the court that in pursuance of a decree of the county court of Isle of Wight County rendered on the 3^d day of Jan. 1847, in a suit in chancery then depending in said county court, but subsequently by operation of law transferred to the said circuit court, between R. W. Gibbs & al. plffs: and Caroline S. Davis admt. of Wm. A. J. Davis Decd., dfts: requiring a commissioner to take & report an account of the transactions of said Caroline S. Davis as administratrix of Wm. A. J. Davis decd; on the 27th of Jan last he issued notices to the parties interested, that he had appointed the 23^d of July 1847, to take said accounts. That said notices were executed & returned. That the taking of said account was continued till the date of this report for cause. That on the date of this report your commissioner was informed by the said Caroline S. Davis that she had neither received nor disbursed any thing for the estate of said Wm. A. J. Davis as administratrix.

Given under my hand as a commissioner of the said County Court, the day & year first aforesaid.
J. D. Jones Comr.

Amount for \$ 2.00
plff. " .50
 \$ 2.50

Crocker Hobbs N.

3 Com. Rept. and
3 ann. Jan. 1, 1913

Davis' adult. 124.

Sets. 14. 1897 & filed

In Schofield's Quarterly Court for term 1873,

Wm. M. Crocker & Co. vs,

Pl. & Defs.

vs,

John H. Smith & Co.

Thos. Davis et al.,

Defts.

This Cause in which it is suggested that since the last decree herein that Francis Smith, adm^r of Rebecca Glover and of Mary Parkinson, & adm^r de bonis non of Hardy Davis, & adm^r de bonis non with the wills annexed of Thomas Davis, Dawson Davis and Catharine Davis, has departed this life, and that the Estates of the said Rebecca Glover, Mary Parkinson & Hardy Davis have been committed for administration de bonis non, & the Estates of said Thomas Davis, Dawson Davis, & Catharine Davis have been committed for administration de bonis non with the wills annexed, to E. J. Chapman Sheriff of this County, it is by consent of said E. J. Chapman ordered that this suit proceed against him as such Administrator, his de. Came on to be heard on the papers formerly read and upon the report of Com^r U. S. Atkinson and C. B. Hayden made under decree herein of April term 1872, on the report of Com^r U. S. Fleming under the decree herein of May term 1870, and on the report of Com^r U. S. Fleming under the decree herein of January term 1873, and was argued by counsel. On consideration whereof the Court by consent of Counsel confirming all the said reports to which no exceptions were filed, doth adjudge order & decree that C. B. Hayden who is hereby appointed a special Com^r for that purpose with draw from the Clerk's Office of this Court

the certificate of deposit of the Farmers and mer-
 chants Savings Bank of Smithfield Va., by leaving
 with the clerk his receipt for the same, and draw
 out of said Bank on said Certificate the sum of one
 hundred and forty three dollars and ninety cents
 (\$143.90) with interest thereon from the 31st May
 1872, until drawn out being one half of the
 amount in said Bank to the credit of this
 Cause, as shown by the said report of Com^r
 & theinson and Hayden filed herein, and pay
 the same to Fenton Davis or his Attorney,
 taking his receipt for the same and filing it
 among the papers in this Cause, and the
 Court doth further adjudge, order & decree
 that a Commissioner of this Court take
 an account of the transactions of Caro-
 line S. Davis as administratrix of Wm. A. S. Davis dec^d,
 and report the same to Court, with any other
 matters deemed pertinent by himself or re-
 quired by any party hereto to be so reported.

At Copy, Teste,

Geo. H. Hart, D.C.

Crockerdals -

Copy decree
 W. J. Gmelco, et al. 1873.

Davis tals.
 June 2nd of the 1874th y. noted
 to 22nd of July 1874th.

For Court of Court

Received April 20th 1872 of H P Young Clerk of Ill. of Right Circuit Court the
bond of James T Cooks, P D Gwaltney and O L Deltz dated November 7th 1870 and being
for the payment of two hundred and seventy dollars twelve months from date with
interest from date, filed in the suit of Crocker & others vs Doves and others
Wm Retchinson

Sept. 18th 1873

Mr. Young

I received your
letter and I hast to reply I
have not received ^{any thing} nor paid out
anything for the estate but I have
and account against Mr R W
Gibbs of 40 some dollars and I
will bring it down some time
soon Yours with respect

L. S. Davis

Mr. Davis' letter

Dec 18,

In Case of Wright & County, Comd. July 7th 1873,

Wm. M. Crocker in his own right vs Exor,
of Emily Davis et als, Pltffs,
vs, Z. Sully.

Henson Davis et als. Defts,

This cause this day came on to be again
heard on the papers formerly read, and on
the report of Com^r ^{C.B.} Hayden under the decree
herein of fine term 1873, 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 three bonds of J. T. Locks & J. D. Gwaltney
for \$38.75. with interest from Feb: 3rd 1873,
payable respectively 1, 2, & 3 years from that
date, returned with the report of said here
in of Com^r Hayden & Atkinson, which
bonds it is suggested the said J. T. Locks is
desirous to pay, which bonds the said C.B.
Hayden who is hereby appointed Special
Com^r for that purpose, is hereby author
ized to collect, and deposit the proceeds
thereof less the costs of executing this
decree in the Farmers & Merchants Sav
ing Bank of Smithfield to the credit
of this Cause, subject to the future

order of the court herein, taking the Certificate
of deposit of the Cashier of said bank therefor,
and return the same to court with his report
of his proceedings under this decree, And the
court doth further and judge order & decree
that on the payment of said bonds by the said J. H.
Locks, the said C. B. Hayden who is hereby ap-
pointed Special Com^{rs} for that purpose shall
execute and deliver to the said James H. Locks
a good and sufficient deed in fee simple
with special warranty for the tract of land
purchased by him for the sum of \$25.00 under
the decree herein of April Term 1873, known
as the 'Shop Tract' containing by estimation
1 1/2 acres more or less, devised by the will of
Catharine Davis; lying in the County of Alle
of Wright adjacent to the mansion House Tract
and allotted M. A. J. Davis by the Com^{rs} of parti-
tion under the decree herein of October Term 1869
& separates therefrom by a line commencing at a
Locust Post on the road midway between the
mansion House & the Shop, running to a
sweet gum on the opposite side of the
field,

Attest, Geo. Hart, Dec.

Locks et al,

Copy decree

W. J. Davis

Geo. C. 1873.

Davis et al,

16

To the Hon: E. R. McKim Sudge of the
County Court of Isle of Wight County, in
Chancery sitting:

The undersigned special
commissioner under the annexed
decree of said court of July Term 1873
in the suit of Proctor & Co. vs. David A. S.
reports to the court that pursuant to said
decree on the 26th day of July 1873, collected
the three bonds of J. T. Cocks in said
decree mentioned of \$38.75, with inter-
est thereon from Feb 3^d 1873, amounting
on that date to \$119.60. & after paying
thereout the costs of executing this decree
~~there~~ remained a balance of \$114.10 -
in your commissioner's hands as per

Statement A

Amount of 3 Bonds for \$38.75 each
with interest from Feb 3^d 1873. to ..

July 26th - /73 - 119.60

Granny Reed \$5.00 - Paid & lay off. 5.50

Amount deposited - \$114.10

The said balance of \$114.10 pursuant to said
decree was deposited in the Farmers, Mer. & Bk.
Savings Bank in the field, as will appear from
the Certificate of the Cashier herewith filed -

All of which is respectfully submitted

Signed C. B. Hayden Comr:

Crocker & Co
vs
Cann & Co -

Commissioner
Hayden
Report of Collection
&
Deposit -

August 4th 1873
Returned & filed
in Clerk's Office

Prod of the Clerk of the
Circuit Court the within
named certificate of deposit
under the decree of the
May Term 1874

C B Hayden
Clerk

To the County Court of Isle of Wight County:

The undersigned Special Commissioner under the annexed decree of the Circuit Court of Isle of Wight County in the suit of Crockett vs Davis at which suit has been since removed to the County Court of this County, report to the Court that pursuant to said decree they offered the "Hop. Tract" for sale at public auction at Isle of Wight Ct on Monday the 3^d of February 1873 being Court day, after having given the notice required by said decree & on the terms mentioned therein, when James T. Cox being the highest bidder became the purchaser of the said tract for one Hundred & twenty five dollars, of which amount he paid \$8.75 in Cash, the amt of Cash as per statement A & for the balance gave three several bonds for \$38.75 each with P. D. Ewaltney as his surety payable respectively 1. 2. & 3 years from day of sale with interest from that date, making the amount of sale as per statement B

Statement A

Commissioner's fee \$125.00 - 4.25 - Cash 2.50 8.75

Credit balance of Sale -

116.25
\$125.00

Statement B -

1. Bond at 1 year for 38.75
1- " 2 " " 38.75
1 " 3 " " 38.75

38.75
116.25

The said Bonds & the receipts of the parties for said
payments are herewith filed -

All of which is respectfully submitted -

Signed - C. B. Hayden
Gro. Robinson

Recd my share of Commiscon.
Gro. Robinson
C. B. Hayden

Received Auctioneer fee -

Recd. July 28th 1843, of the clerk of the
Circuit Court of Isle of Wright County
the within named Bonds.

C. B. Hayden
Comr.

Received
of
Gro. Robinson

2nd
Rept of Sale
of
Commiscon. Affirm
C. B. Hayden

To the County Court of the of Wright
County, in Chancery sitting -

The undersigned Special
Commissioner under the annexed
decree of said Court of June Court 1873
in the suit of (Rockwell et al vs Davis et al)
reports to the court - that pursuant to
said decree he collected from the Farmers
& Merchants Savings Bank of Smithfield on
the certificate named in said decree
\$143.90 with interest from May 31 1872
to July 1 1873, amounting to \$153.39 -
which sum he paid to G. H. Clarke the
Attorney of Jenton Davis, his receipt for
which is herewith filed -

All of which is respectfully
Submitted

July 4th 1873 -

C. B. Hayden Com

Crocker & Co
US
Sanitary -

Report of Collection
& Payment of
Commissioner
Hayden under
Order of June
Term 1873.

Crocker's ^{1st} M. adm'd to vs. Davis et al.

Sunny Land sold on Oct 28 th to R. W. Gibbs	250 00		
Sold Nov 7 th Dawson Davis Tract of 30 Acres to James T. Cox for	300 00		
Thomas Davis Tract of 30 Acres to R. W. Gibbs for	125 00		
Mansion House Tract of bid off by James T. Edwards for Miss Lou Crocker	146 00	671 00	
	821 00		
5 per ct. commis. on 300 00	15 00		
2 per ct commis on 524 00	10 42		
		125 42	
		12 91	

Can. - 12.71
Can. free in
Audience

Pad. ¹¹ 27.

37 71

153.89

Received of C B Hayden Com: in Cracker & Co
a Cash. One Hundred & Fifty Three
^{Thirty Nine}
Dollars ~~Twenty Six~~ cent amount due
Fenton Davis under decree in said suit
of June Term 1873 -

Geo. F. Leavelle, Atty. for
Fenton Davis

An account of the debts and demands against the estate
of Emily Davis dead: with their priorities.

3rd Class.

Acct. due Zach. W. Turner for attendance at May Cir. Ct. 1868, as witness in favor of Wm M. Crocker exor. of Emily Davis dead: m. C.S. Davis admr. of W. & J. Davis dead:	3	00	
Int. thereon to 1 st March 1873	87		3 87
Acct. due Jas. T. Cook's do. do.	3	00	
Int. thereon	87		3 87

4th Class.

Judgment of May Cir. Ct. 1868, in favor of Caroline S. Davis admr. of W. & J. Davis m. W. M. Crocker Exor. of Emily Davis for	100	00	
Int. thereon from 1 st Jan'y. 1860, to 1. Mar. 1873.	79	00	
Costs of suit	18	81	197 81
Judgment of same Ct. in favor of same for	150	00	
Int. thereon from 2 nd Jan'y. 1854 to 1. Mar. 1873.	141	77	
Costs of suit	21	58	3 16 35
Total amt. Debt proved			\$ 521 90

An account of debts and demands against the estate
of William A. J. Davis decd. with their dignity.

4th Class.

1	Balance on bond due to Wm. Crocker, secured by deeds of trust of the 8 th and 9 th days of April 1856, on 5 th May, 1856, of	20	06	
	Int. thereon from 5 May 1856 to 1. Mar. 18 th /3.	20	20	
	Note due same for costs of said deed paid by Crocker	19	25	
	Int. on same	19	53	79 04
2	Bond due Robert W. Gibbs on 17 th of June, 1857	300	00	
	Int. thereon to 1 st March 18 th /3.	282	60	582 60
3	Judgment in favor of C. B. Hayden & J. A. Graves rendered, by confession, in cir. ct. of Isle of Wight on 1 st of March 1859, with int. from that day,	50	00	
	Int. thereon to 1 st Mar. 18 th /3.	38	00	
	Costs of suit in favor of Wm. Crocker & Co. vs. Davis	6	46	94 46
4	Judgment of cir. ct. of Isle of Wight 19. Octo. 1861,	206	00	
	Int. from 29. July 1856 to 1 st Mar. 18 th /3	205	97	
	Costs of suit.	13	44	425 41
Total amt. of debts paid				\$1181 81

Comptroller's office, Isle of Wight Court house,
February 21st 18th/3.

To the County Court of said County.

Pursuant to a decree of the said County Court rendered on
on the 16th day of January, 18th/3 in a suit in chancery therein

depending between Wm. Crocker, Gibbs & Co. plaintiffs against
Newton Davis, C. F. Davis and J. W. A. J. Davis defendants
directing a commissioner of said court to take and report
1st. an account of all debts and demands against the estate
of Emily Davis decd. with their priorities, and 2^d an account
of all debts and demands against the estate of William A. J.
Davis decd. with their priorities. Your commissioner to whom
said accounts were referred, reports to the court that on the
16th day of Jan^y last he issued notices to the parties, plaintiffs
and defendants, that he had appointed the 1st day of February 1873
being the date thereof, to take and settle at his office aforesaid, the
accounts so directed. Which notices were returned to your
commissioner duly executed. That your commissioner has made
from the evidence before him, the foregoing two accounts,
marked A. and B.

A. Account A. is of the debts against the estate of Emily Davis
decd. and shows the amt. thereof to be \$521.90 of which the
debt due to J. W. Turner and James T. Cocks respectively, have
priority. and the balance are of equal dignity.

B. Account B. is of the debts against the estate of William
A. J. Davis decd. and shows the amount thereof to be
\$1181.81 of which the debt due to Wm. Crocker is
of the 1st dignity; The debt due to H. W. Gibbs is of the 2^d
dignity; The debt due to C. B. Hayden & J. A. Grant is of
the 3^d dignity; and the debt due to Wm. Crocker & Co. for
of Emily Davis decd. is of the 4th dignity.

Given under my hand as a commissioner of said

Court the day and year first aforded

J. P. Young Court

Commissioner fee \$7. 00

Chff. (H. Guard) 3. 00

\$10. 00

Cover for talr.

2 Sept. under
to. 3 down of Yang.
1843

Apais talr.

July. 21st. 1843

The Estate of Emily Davis, deceased

1867			
March	5	By Balance due the Estate per c. tra	27 94
1868			
March	5	" Interest on same	1 67
		" Balance of Interest brought into account of principal	2 42
			32 03
1868			
March	5	By Balance due the Estate all of which is interest	4 07

An account of the Legacies bequeathed by the will of Emily Davis deceased, and which are still due and unpaid.

Legacy to Shadrach King	50 00	
Interest thereon from March 4 th 1862 to March 3 rd 1871	27 00	77 00
do to Ellen Jones	50 00	
Interest thereon from March 4 th 1862 to March 3 rd 1871	27 00	77 00
do to Eliza Jones	50 00	
Interest thereon from March 4 th 1862 to March 3 rd 1871	27 00	77 00
do to Susan Crooks	10 00	
Interest thereon from March 4 th 1862 to March 3 rd 1871	5 40	15 40
		245 40

Commissioner Office, Isle of Wight Courthouse.
Apr. 8th 1871.

To the County Court of said County.

Pursuant to a decree of the Circuit Court of said County, rendered at the May term, 1870, in the suit in chancery then depending therein, but subsequently transferred to the county court aforesaid, between Wm. Crocker & R. W. Gibbs, jfcs:

and Caroline S. Davis adm^t of W^m. J. Davis sole executor.
directing a commissioner of said court to take an account
of the transaction of W^m. Crocker as adm^t of Emily Davis's
affairs: and to ascertain which of the legacies bequeathed by
her will are due and unpaid. Your commissioner reports
to the court that he issued notices to the parties interested
notifying them that he had appointed the 8th day of April
18th to take and settle said accounts. That service of said
notice was duly acknowledged. And on the date of this
report, being the day so appointed, he made up and
completed the foregoing accounts, which show that on
the 5th day of March 1868, there was a balance of \$4.07
due from the said W^m. Crocker to the estate of the
said Emily Davis. All of which is interest. And
that on the 3^d of March 18th, there were the following
accounts due to the legatee of said Emily Davis, to wit:
To Knadrack King \$77.00 of which \$27.00 is interest.
To Ellen Jones \$77.00 of which \$27.00 is interest.
To Eliza Jones \$77.00 of which \$27.00 is interest.
And to Susan Cook \$15.40 of which \$5.40 is interest.

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

J. S. Young Com^r

Crocker sale,

2
3 Report given
Dun of May
Dun's sale. 1890

Apr. 8th 1891 filed

To the Circuit Court of Iscoffright County
The undersigned com-
missioners of sale under the Decree of said
Court of May Term 1870 in the suit of
William M Crocker &als. vs. Fenton Danstals.
hereunto annexed report to ^{the} Court that
pursuant to said Decree, they exposed
the land in said Decree mentioned
in the County of Sunny at the Court
House of said County on Tuesday
the 25th of October, after having given
the notice required by said Decree,
when Robert W. Gibbs became the
purchaser of the same for the sum
of \$250.00. Of which amount he paid
the sum of \$50.00 in Cash and for the
balance \$200.00 gave his Bond with
John G. Hornsby as his Surety payable
12 months from the day of Sale with
interest from that date, which Bond
is herewith returned.

The Cash Payment was appropriate
as per

Statement A

G. R. Atkinson Atty's Fee	30.00
Printers Bill	5.00
Commissioners Fee	2.50
Comps.	12.50
	<u>15.00</u>
	<u>\$50.00</u>

Recorder of the Court

or } }

Davis, Vail & Co.

Commissioner's Report
of Sale
of Land in Survey

Received of the Clerk of the
County Court of Clark County
County the within named
bond under date of October
1873.

C. B. Hayden

All of which is respectfully submitted

(Signed)

Nov. 5th 1873

Geo. H. Thomson

C. B. Hayden

GLENNAN, RUFFIN & CO.

VIRGINIAN NEWSPAPER & JOB PRINTING OFFICE.

JOB PRINTING NEATLY AND
PROMPTLY EXECUTED.

Norfolk, Va., Sept 17th 1870

M^r C. B. Hayden & J. R. Atkinson

To NORFOLK VIRGINIAN, Dr.

For Printing 50 Bills Sent Crocker is \$
Davis 2.50

Received Payment,

Glennan Ruffin & Co

Mr. *Lawson Davis's Estate*

1862 To T. J. CLEMENTS, Sheriff of Isle of Wight County,

Dr.

To	tax on	36	acres land, value	\$ 252	
"	"		white males over 21, at 80cts.....		
"	"		free negroes " " at 80cts.,.....		
"	"		slaves over 12, at 1,20,.....		
"	"		personal property, moneys, &c., value \$		
"			county levies, at \$1,08, (white).....		
"		do	do	" (F. N.) ..	
"		do	do	" (slaves).....	
"	Clerk's fees, \$		...Commissioner's fees, \$		
"	Militia fines,.....				

1 51

51.51

Received payment,

Danson. Davis Est..
Wm. Crocker
\$ 1.51

Wm W Crocker
to pay

Mr. *Camilla Davis's Estate*

1862 To T. J. CLEMENTS, Sheriff of Isle of Wight County,

Dr.

To	tax on	2	acres land, value \$	160	
"	"		white males over 21, at 80cts ,		
"	"		free negroes " " at 80cts.,		
"	"		slaves over 12, at \$1,20,		
"	"		personal property, moneys, &c., value \$		
"			county levies, at \$1,08 (white).....		
"		do do	" (F. N.).		
"		do do	" (slaves)		
"	Clerk's fees, \$		...Commissioner s fees, \$		
"	Militia fines,				

96

7. 96

Received payment,

Camilla Davis "Est."
Wm. Crocker.

f-96.

Received of C B Hayden Commissioner
in Proctor & Co's Auctioneers Ten of ~~Two~~
Hundred and Fifty Cents for sale of Land
belonging to Ag & Co in survey —

Saml H. Bent Secy

To the Circuit Court of the County of Wigles County:

Pursuant to a decree of said Court rendered at the Oct. Term 1869 in the suit of Wm. H. Crocker & others vs. Davis, Veit & others, a copy of which is herewith annexed, the undersigned, three of the Commissioners appointed for that purpose proceeded on the day of 1870 to view the said tract of land in Lury County, adjacent to the lands of Wm. H. Wilson, Betty Poole & others, containing by estimation 322 1/2 Acres; and make partition thereof in equal moieties between the estate of Wm. A. J. Davis dec'd, and Benton Davis as follows to wit: Commencing at a line pine between the said tract and Wm. H. Wilson's land near the fork of the road leading to Davis' Old Landing, on Davis' tract, and running in a South Easterly direction by a line of marked trees ^(but crossing it at one or two points) nearly parallel with the road leading to said landing, to a small Spruce pine standing immediately on the North side of said road; thence nearly a due South Course by a line of marked trees to a large poplar standing immediately on the side of the stream and near the corner of a swamp, near Maywood's Cabin, thence down the main run of said swamp to Davis' tract. And all that part of said tract of land which lies on the East side of said line we, the said Commissioners have ^(allotted &) assigned unto Wm. A. J. Davis's estate and all that part

of said tract of land which lies on the West
Side of said line, we have assigned unto
Henton Davis

All of which is very respectfully submitted:
Given under our hands as Commissioners
as aforesaid this day of 1870

Wm. H. Warren }
J. Bolting Ball } Commrs.
Geo. J. Clarke }

Wm. H. Lawrence & others,

v. } Report of Commrs.

Davis, Vice & others.

Mr S J Clarke

Dear Sir Mr B. J. Wood
and myself have been down and viewed
the Lewis tract of land and have run
a dividing line as follows.

Commencing at a line pine between
Wm R Wilson & the Lewis tract near the
fork of the road leading to Lewis,
old Landing on Lyons Creek, and
running in a South Eastly direction
by a line of Chopped trees (and nearly
parallel with the road leading to the
said Landing) to a small Spruce
pine standing ~~on the North~~ immediately
on the North side of said road.
Thence nearly a due South direction
by a line of Chopped trees to a large
paplar standing immediately on the
side of the stream, and nearly a
the source of a Swamp near Haywood
Cabin, Thence down the main run
of said Swamp to Lyons Creek.

Thinking this aforesaid line will
make two tracts of equal value,
Considering the quality and quantity of
land in each tract made by this new
line, we are ready to sign a report made
out according to the above description

Respectfully
Wm A. Wain

W Hayden Says you
must have our report at
Court next Monday

May 13th 1890

W.H.M.

In Isaac Wright Circuit Court, Oct. 20th 1869,

Wm M. Crocker in his own right & as exor. of
Emily Davis, Geo. R. Atkinson trustee in a deed
of trust from W. A. J. Davis for said Wm M. Crocker
ex. R. W. Gibbs, C. B. Hayden trustee in a deed
of trust from W. A. J. Davis for R. W. Gibbs, C.
B. Hayden in his own right, & R. H. Randolph
exor. of G. A. Graves

Plffs:

vs. $\frac{1}{2}$ In Chy -

Fenton Davis, F. J. Vail, Wm H. Casey admr.
with the will annexed of H. J. Brock, Jno. C.
Thomas, Henry P. Howell, N. P. Young
trustee in a deed of trust from W. A. J.
Davis for Jno. C. Thomas & others, Caroline S.
Davis in her own right, & as admr. of
W. A. J. Davis decd. Willis P. Davis & Martha
J. Davis (the last two infants) - Defs:

This cause in which the bill is taken
for confessed acts the defendants, Fenton
Davis, F. J. Vail, Wm H. Casey admr. with the will
annexed of H. J. Brock, Jno. C. Thomas, H. P.
Howell, N. P. Young trustee under a deed
of trust from W. A. J. Davis for Jno. C. Thomas
& others, Caroline S. Davis in her own right
& as admr. of W. A. J. Davis, on whom process
has been duly served, they still failing to
appear, answer or demur, Came on this
day to be heard on said bill and

exhibits filed - the answer of the infant defendants
by N. P. Young their guardian ad litem & of Francis Smith
Sheriff of the County of Isle of Wight & as such
admn^r of Rebecca Glover & Mary Parkinson & as
admn^r de bonis non of Hardy Davis, & admn^r de bonis
non with the will annexed of Tho^s Davis, Dawson
Davis, & Catharine Davis, & general replication
to the answer of said infants. & was argued by
Counsel: On consideration whereof the Court
doth adjudge, order & decree that this Bill be
dismissed as to the said defendant N. P.
Young trustee as aforesaid under the deed
of trust in these proceedings mentioned of
January 3rd 1859. & the defendants T. T. Vail.
W. H. Carey adm^r of H. T. Brock, Geo. C. Thomas
& Henry P. Howell as beneficiaries under said
deed: & that the lands conveyed by said deed
are discharged of the liens created thereby
& the Court doth further adjudge, order &
decree that Jas. T. Cox, Jas. T. Edwards, G. W.
Turner, Jas. Stallings, & Burbin Jones, any
three of whom may act, proceed to make par-
tition of the land whereof Catharine Davis died
seized in said County: & devised by her last will
& Testament, & allot to the estate of W. H. Davis the
mansion house tract as bounded & described
in said will: & allot three eighths of the Shop
Tract as devised by said will to the said tenton
^{5/8 of said tract to Wm. H. Davis}
Davis & having regard to quantity & quality:

1
1
And to one half of the thirty acre tract devised by
the will of Dawson Davis lying in said County,
adjacent to the lands of W^m M. Crocker, Sampson
Banks & J. C. 1004: to said Fenton Davis, & the
other half to the estate of the said W^m J. Davis, hav-
ing regard to quantity & quality, And the Court
doth further adjudge, order & decree, that
W^m A. Warren, W^m L. Doyle, Tho^s B. Bell,
Jos^{ph} H. Barham & Geo. T. Clarke, who are
hereby appointed Com^{rs} for that purpose,
any three of whom may act, proceed to make parti-
tion in equal moieties between the estates of
the said W^m J. Davis, & the said Fenton Davis
having regard to quantity & quality, of the tract
of land in the County of Surry containing by
estimation 322 1/2 acres adjacent to the lands
of H. K. Wilson, Betsey Poole & others, but if said
Com^{rs} in either case should find such
partition inconvenient or impracticable,
they should be of opinion that a sale of the whole
subject would most promote the interest of the
parties, they will so report with the reasons on
which their opinion is founded. And the
Court doth further adjudge, order, & decree
that, a Com^r of this Court take the following
accounts, 1st An act. of the several debts
incurred by the deed of trust, mentioned in
the said deed, & with their priority, 2nd An act.
of any judgment liens on the lands of which

said W. A. J. Davis died seized with their priority.
3rd In act: of the demands of all other cred-
itors of said W. A. J. Davis who may choose to
contribute to the costs of this suit. 4th In
act: of the transactions of said Caroline S.
Davis as adm^r: of said W. A. J. Davis. 5th
In act: of the Real estate of which W. A. J.
Davis died seized & possessed with the fee
simple & annual value thereof, which
acts, he shall take settle & report to
Court with any matters specially
stated deemed pertinent by him-
self, or required by the parties to be so
stated,

A Copy Teste
C. A. Hart C.C.

Crockett
Hart

To the Circuit Court of Isle of Wight County
The undersigned
Three of the Commissioners appointed
for the partition of the lands devised by
the Wills of Catherine Davis & Dawson
Davis between Fenton Davis & W. A. J. Davis
under the Decree of said Court of
October Term 1869 in the Chancery
suit between William M. Crocker and all.
Plaintiffs and said Fenton Davis and all.
Defendants, which Decree is hereto annexed
report to the Court that they have
examined the lands in said Decree
mentioned and divided the "Mansion
House Tract" from the Shop tract accord-
ing to the directions of said Catherine
Davis' Will as follows: They assigned
to the estate of said W. A. J. Davis the
"Mansion House" and one half of the
land adjacent divided by a line
midway between the Mansion House
and the Shop which line commences
at a "locust post" on the road and
running to a "Direct Run" on the opposite
side of the field. Your Commissioners
have found it ^{and inconvenient} impracticable to divide
the remainder of the Shop tract between
the said parties as directed by said Decree
because the remainder of said Shop tract

contains but about $1\frac{1}{2}$ acres and the buildings on it are worth more than the balance of the land or than the share of either party and your Commissioners therefore recommend the sale of the whole of the balance of said shop tract as being most for the interest of all parties.

Your Commissioners further report to Court that they find it inconvenient & impracticable to divide the "30 acre Tract" devised by the Will of Dawson Davis as directed by said Decree, because said Tract is poor without fencing timber and has on it a small house and if divided into two equal parts with regard to value each of said parts would be separately worth less than the two jointly, they therefore recommend the sale of the whole of the said "30 acre Tract" as most for the interest of the parties concerned. We are of opinion that the fee simple value of the "Mansion House Tract" as divided by us is \$100.00 and of the balance of the "Shop Tract" is \$150.00 and of the whole of the "30 Acre Tract" is \$150.00 All of which is respectfully submitted

James T. Edwards
B. Jones
Zed L. Leno

Crocker & als
vs
Davis' admr & als

Report of Commissioners
for Partition
under the decree of
October Term
1869

And also to $\frac{1}{72}$ of a tract of land of about 30 acres, ^{which} of which ^{Tracy} Truman Davis
is entitled to $\frac{4}{72}$, and Fanny Pickerson to $\frac{1}{72}$ being the tract of land men-
tioned in the will of Thomas Davis ^{and a duplicate copy of which will with certificate}
of probate annexed marked - is herewith filed for

Rebecca Hoover survived her husband and intestate without children. no adm.
 and her $\frac{1}{6}$ goes to her Brothers & Sisters $\frac{1}{4}$ each.
 Hardy Davis and entitled to $\frac{1}{2}$, leaving 2 children who live leaving 2 half sisters
 Dawson Davis and entitled his $\frac{1}{2}$ passed to Fenton & W.A. Davis $\frac{1}{4}$ each
 Cath Davis and her entitled her $\frac{1}{2}$ passed to Camille Davis
 Mully Davis and the will of said Mully her $\frac{1}{2}$ passed to Fenton Davis subject to
 legacies.
 Mary Pickerson. $\frac{1}{4}$ -

$\frac{1}{2}$ $\frac{1}{4}$ $\frac{1}{8}$ $\frac{1}{16}$
 $\frac{1}{24}$ $\frac{1}{24}$ $\frac{1}{48}$ $\frac{1}{48}$

Mary Pickerson	$\frac{1}{4}$	
Hardy Davis	$\frac{1}{2}$	$\times 8$
Fenton Davis	$\frac{1}{4}$	10
W.A. Davis	$\frac{1}{4}$	30

The Commonwealth of Virginia,

City of Portsmouth

TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY. Greeting:

We command you to summon

~~Wm. Davis & Martha J. Davis the last two~~
Ex parte *Henry P. Howell*

to appear at the Clerk's Office of the *Circuit* Court of Isle of Wight County,
at Rules to be holden for the said Court, on the first Monday in *September*
next, to answer *the Bill in chancery of Wm. M. Crocker in his own right*
& as Executor of *Emily Davis, Geo. R. Atkinson trustee under deed of*
trustee from W. A. J. Davis to said Wm. M. Crocker. Robert W. Gibbs, C. B.
Hayden trustee under Deed of trust from W. A. J. Davis to R. W. Gibbs, C. B.
Hayden in his own right, & R. A. Randolph Exor. of J. A. Graves filed
against him & this.
alpen of for \$ *Damages, \$* And have
then there this writ. Witness, CHARLES H. HART, Clerk of our said *Circuit*
Court, at the Courthouse, the *26th* day of *August* 1869, in
the *94th* year of the Commonwealth.

N. P. Young D.C.

Crocker's.

3 Sums. to cross
N. J. Bill

Hinton Davis, adm.
Davis adm. tal.

To Sept. Rules 1869.

Cir. Ct.

Haydenfy.

Executed by delivering a
copy of the within to his
wife -

John J. Williams
Deputy Sergt

Portsmouth

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting :

We command you to summon *Jenton Davis, F. T. Vail, W. H. Casey* *adversus* with the will annexed of *H. T. Brock, Jr., C. Thomas, Henry P. Howell, H. P. Young* *trustes undivided* from *W. A. J. Davis* for *Jos. C. Thomas & Co.* *Cardney S. Davis* in his own right & as *admors* of *W. A. J. Davis, Willie P. Davis & Martha J. Davis*, the last two infants

to appear at the Clerk's Office of the *Circuit* Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *September* next, to answer the Bill in Chancery of *W. M. Crocker* in his own right and as Executor of *Emily Davis*, *Geo. W. Atkinson* *trustes undivided* of Trust from *W. A. J. Davis* to said *W. M. Crocker*, *Robert W. Gibbs, C. B. Hayden* *trustes undivided* of Trust from *W. A. J. Davis* to *H. W. Gibbs, C. B. Hayden* in his own right & *H. H. Randolph* Exor. of *J. A. Green*.

a plea of *in* for \$ *Damages* \$ *And have*

then there this writ. Witness, CHARLES H. HART, Clerk of our said *Circuit*

Court, at the Courthouse, the *26th* day of *August* 18 *69*, in the *94th* year of the Commonwealth.

A. P. Young D.C.

Accented by delivery a true copy of the letter
to Father Davis of Fairmont, Md. 14th day June
Thos. Carver & Davis & M. P. Young.

Esq. Dr.
for 1/2 month

Crocker tal.

vs. { Sum. in
Chy.

Davis tal.

To Sept. 1869. Ruly.
Cir. Ct.

Wm. Carver

To the Honorable E P Pitts, Judge of the
Circuit Court of Law & Chancery for the
County of Isle of Wight in Chancery sitting -

The joint several answers of
Willis P Davis & Martha J Davis infant
affians of W A J Davis by A P Young
their Guardian ad litem, to the Bill of
Complaint in said court exhibited by W M
Crocker & als against them & others -

These Defendants jointly severally
answering say that they are
infants under twenty one years of age
submit their interests in the premises
to the protection of this Honorable
Court & having answered for y,
hence to be disquined with their
costs in this behalf most unreasonably
expended & they will ever say &

L. signed -

A. P. Young q. d. ad litem

Crockett }
 " } The
Carrick } Chaney

Infants Answer

Sept. 1869

To the Hon^{ble} E. P. Ellis Judge of the Circuit Court of Ark of Wright County

The answer of Francis Smith administrator of Rebecca Glover and Mary Parkinson, administrators de bonis non of Hardy Davis, and administrators de bonis non with the will annexed of Thomas Davis Dawson Davis and Catherine Davis to the Bill of Complaint in said court exhibited by J. M. Crocker and also against them and others.

This defendant reserving to himself all right of exception to the said bill of Complaint for answer shunts forth that he has never heard or been informed of any of the said Complaints' said bill of the allegations therein, but this defendant believes that they are, as in the said ^{bill} is alleged, and having answered pray hence to be dismissed with his costs in this behalf most unceasingly expended, and he will ever pray &c.

Francis Smith

Crocker Falls

3 } Archangels

Rain Falls

Uncle of
Francis Smith, wife of
Rebecca Smith Falls

Wm. Edwards
 Capt. Wm. Edwards on his return

A. J. Edwards
Pittsburg

To the Hon^{ble} E P Pitts Judge of the Circuit Court of the State of North Carolina

Humly complaining their into your Honor your orators William
Mc Crocker in his own right, and as executor of Camilla Davis dec^d, George Robt
Kearns Trustee under deeds of trust from William A J Davis to said William Mc
Crocker, Robert W Goff, C B Hayden trustee under a deed of trust from the said Wil
liam A J Davis to the said Robert W Goff, the said C B Hayden in his own right, and
R H Randolph executor of Joseph A Davis dec^d, whose in behalf of themselves
and of all other creditors of the said William A J Davis who may choose to become
parties to this suit are contributing to the costs thereof, that the said W A J Davis
being seized in fee simple of a tract of land in the State of North Carolina devised to him
by the will of Catharine Davis, mentioned as the Mercantile house, subject to the life
estate of Camilla Davis, and also as tenant in common of another tract of land
mentioned as the Shop tract, one half whereof tract being devised to the said W A J
Davis, by the said will and Robert H Davis having died in the lifetime of the
testator ^{under 21 years of age} and unmarried, and Elizabeth Thomas Davis having died in the lifetime of
the testator unmarried and without children which the said Catharine Davis died
intestate as to the other half of said Shop tract and it descended to her heirs at law
Camilla Davis, Fenton Davis and William A J Davis, the said Camilla inheriting
 $\frac{1}{2}$ thereof or $\frac{1}{4}$ of the whole and the said Fenton Davis and William A J Davis
 $\frac{1}{4}$ thereof each or $\frac{1}{8}$ of the whole ~~so that the estate~~, and the said Camilla Davis
under the residuary clause of her will having devised all her real estate to the
said Fenton Davis subject to the legacies charged thereon the said Fenton Davis
is entitled to $\frac{3}{8}$ of the said Shop tract and the said William A J Davis of $\frac{5}{8}$ thereof.

all of which will appear by attested copies of the will of the said Catharine Davis
Exhibit A & K and Camilla Davis, and the certificates of probate thereof marked respectively A & K
herewith filed and prayed to be taken as part of this bill; that the said W^m J. Davis
has further seized in fee simple as joint tenant with the said Benjamin Davis of an
other tract of land in said county containing by estimation 30 acres adjoining
the lands of the said W^m W. Conker Sampson Banks and James Herber,
and devised by the will of their father Dawson Davis, and also of a tract
of land containing by estimation 32 1/2 acres, situated in the county of Henry
adjacent to the lands of W^m R. Wilson, Peter Poole and others, devised to the said
W^m J. Davis and the said Benjamin Davis by the will of Happpy Nelson, they being
the surviving children of P. Nelson Davis to whom the said land was given for life
remainder to her surviving children an attested copy of which will is herewith

Exhibit X. filed marked X and prayed to be taken as part of this bill; that the said W^m J.
Davis was also entitled under the will of Thomas Davis to 1/8 of a tract of
land, the said Benjamin Davis to 2/8 Mary Parkinson to 1/6 and Hardy Davis to
1/24; that the said Thomas Davis by his will, an attested copy of which with the cer-

Exhibit L. tificate of probate annexed marked L is herewith filed and prayed to be taken
as part of this bill, devised to his wife Sally Davis for life, all his real and person-
al estate, with directions that on her death, the same should be sold and equally
divided between Hardy Davis, Dawson Davis, Catharine Davis, Camilla Davis
Rebecca Glendon the wife of Harrison Glendon formerly Rebecca Davis, and one Mary
whose name is not given but who afterwards married Edward Parkinson;
that the said Sally Davis has departed this life; that your complainants charge

that the direction of the said testator Thomas Davis that his real estate should be sold
and the proceeds divided was an equitable conversion of the same into personally, and
that it passed under his will as personally to the parties aforesaid; that the said Rebecca
Davis survived her husband and died intestate leaving her brothers and sisters the
said Hardy Davis Dawson Davis Colbourne Davis and Camilla Davis her sole
heirs, each one taking $\frac{1}{4}$ of his portion or $\frac{1}{6}$ of said land; that the said Hardy Davis
did intestate leaving two children to whom his whole interest passed; that the said
Exhibit A. Dawson Davis did testate and by his will a duly certified copy of which marked A.
is herewith filed as aforesaid, bequeathed his interest being $\frac{1}{4}$ to the said H. J. Davis
and Antin Davis equally; that under the residuary clause of the will aforesaid of the
said Colbourne Davis, her interest being $\frac{1}{4}$ passed to her sister the said Camilla or
Emily Davis; that under the residuary clause of the will aforesaid of the said Camilla or
Emily Davis her interest in the said land being $\frac{1}{4}$ passed to the said Antin Davis subject
to the legacies charged thereon; that the said Edward Parkerson and Mary his wife both
did intestate leaving two children George H. Parkerson and Fanny Parkerson the latter
of whom is now living; that the said William A. J. Davis being so seized and possessed
as aforesaid, in order to secure the payment of a debt due to the said William M. Crocker
by bond bearing date on the 8th day of April 1886 for the payment of \$277.⁰⁰ on demand,
the said William A. J. Davis conveyed all his interest in the lands aforesaid to the said
George A. Atkinson, as trustee, by three several deeds of trust, bearing date respectively
on the 8th day of April 1886, the 9th day of April 1886 and the 10th day of April 1886 the two
former of which are duly recorded in the county of Isle of Wight and the latter in
the county of Surrey, the said bonds marked B, and copies of the said deeds marked

Exhibits to Ch. & E. respectively C D & E are herewith filed and prayed to be taken as parts of this bill:

Exhibit A

That the said Wm M Crocker having paid the costs of sending and recording the said deeds amounting to \$192⁵⁰ the said Wm A Davis made his note therefor signed with his hand which note marked A is herewith filed and prayed to be taken as a part of this bill; that on the 17th day of June 1887 the said Wm A Davis in order to secure a debt due by him to the said Robert White for \$300 bearing date on the day and year last aforesaid, and payable on demand, conveyed all his interest aforesaid in the tract of land in the county of Curry to the said C B Hayden as trustee, the said deed marked

Exhibit F

F and a copy of the said deed with certificate of recording in the county of Curry, marked

Exhibit G

G are herewith filed and prayed to be taken as parts of this bill; that on the 3rd day of January 1889 the said Wm A Davis conveyed to A Young as trustee, all his interest in the lands aforesaid in the counties of Sal. of Wight and Curry, except such portion of the land in the ^{former} ~~latter~~ tract as was described as being derived from the said Thomas Davis, to indemnify the said Wm M Crocker F T Paul, Henry T Brock John C Thomas and Henry P Howell, his heirs in the acquittance described in the said deed a copy of which deed with certificates of recording in the counties of Curry and Sal. of

Exhibit H

Wight is herewith filed marked H and prayed to be taken as part of this bill; that the said Charles B Hayden and Joseph Abrasser, in the lifetime of the latter, on the 7th day of March 1889 in the Circuit Court of Sal. of Wight county obtained a judgement against the said Wm A Davis for fifty dollars with interest from the 7th day of March

Exhibit I

1889, and costs, a copy of which judgement marked I is herewith filed and prayed to be taken as a part of this bill; that on the day of 18 the said Wm M Crocker as executor of the said Camilla Davis obtained a judgement on the

Exhibit J

Court of the said County against the said W^m H. Davis for with interest
thereon from the day of 18 with costs, a copy of which judgement marked
J is herewith filed and prayed to be taken as part of this bill; that the said W^m H.
Davis appeared in discharge of the recognizance aforesaid mentioned in the deed of
trust to the said N. P. Young, and he duly released his sureties in the said bond and
discharged the liens on said lands created by the said deed of trust for their benefit;
that the said W^m H. Davis on the day of 1861 departed this life intestate
in the county of Surry leaving his widow Caroline J. Davis, and his two infant children
Willis P. Davis and Martha J. Davis his distributees and heirs at law, his descendants;
that the said Caroline J. Davis has qualified in the county court of Surry as the admin-
istratrix of the said W^m H. Davis; that at the time of the death of the said intestate
the several debts due by the bonds and judgements aforesaid were wholly due and
unpaid except as to the sum of \$261 - paid to the said W^m M. Crocker on the 5th day of
May 1856 in part of his bond, and are still due and unpaid, the said administratrix
though often requested having refused to pay the same; that the said intestate left a
small personal estate, insufficient for the payment of his debts; that no sale has been
made of the land devised by the said Thomas Davis, and no partition has been had
of the other said lands between the said intestate and the said Festus Davis and the
same remain undivided; that for want of such sale and partition it is imprac-
ticable to enforce the liens under said deeds of trust without injury to all parties;
that your complainants are informed and so charge that they have a right to
have sale made of the lands under the said Thomas Davis will and distribution of
the proceeds, and partition made of the other lands aforesaid and the portion thereof to

where the said estate is entitled ascertained and set off by sales and bonds
and to have the same sold for the satisfaction of the debts secured by the said deeds of
trust, and due on the said judgments, unless the personal assets of the said estate
are sufficient for which your complainants charge the said personal assets are insuffi-
cient; that the judgments aforesaid were never docketed in the county of Curry and are
hence only a lien on the aforesaid lands in the county of Isle of Wight; that the said Wm
McCrocker by his deeds of trust has a lien on the aforesaid lands in both counties;
that your aforesaid complainants Wm McCrocker executor of Camilla or Emily Davis
R H Randolph executor of Joseph Abrams and C B Hayden are informed and exchange
that if the lands in Isle of Wight are insufficient for the payment of the said judgments
and the said debt due to the said Wm McCrocker, the said Wm McCrocker may be required to
resort to the Curry land for the satisfaction of his debt if he can do so without injury to
the said Robert W Gibbs as your complainants allege may be done, and leave the Isle of
Wight lands for the satisfaction of the said judgments; that the said Joseph Abrams
and the said Henry T Brock have both departed this life testate and R H Randolph
has qualified as executor of the former and Wm H Conroy as administrator with the will
annexed of the latter; that the estates of the said Rebecca Glover and Mary Pickens
and Thomas Davis
have been committed to Francis Smith Sheriff of Isle of Wight County for admin-
istration: that James M Jordan the administrator of the said Hardy Davis

of Dawson Davis and Benjamin
Jones the administrator with the will annexed, of Catharine Davis have departed
this life, and the estates of the said Hardy Davis Dawson Davis, Thomas Davis
and Catharine Davis have been committed to the said Francis Smith for adminis-

that the said ^{Wm} Henry Davis, deceased, was the son of A. P. Young, his only
grandson or administrator of his estate in the County Court of Isle of Wight County,
to the said court. In tender consideration whereof and forasmuch as your com-
plainants are without remedy at law and can only be relieved by aid of this honorable
Court of Chancery where matters of this kind are cognizable. To the end your com-
plainants pray that Henry Davis, F. T. Vail, Wm. H. Conry administrators with the
will annexed of H. T. Brock, John C. Thomas, Henry P. Howell, A. P. Young trustees under
a deed of trust from Wm. A. J. Davis for John C. Thomas and others, Caroline T. Davis in her
own right and as administrator of Wm. A. J. Davis, Willis P. Davis and Martha J. Davis
the last two infants under the age of 21 years by some one appointed their guardian ad
litem to defend their interests in this suit, the said Francis Smith as administrator
of Rebecca Glover and Mary Pickens, as administrators de bonis non of Hardy Davis
and as administrator de bonis non with the will annexed of Thomas Davis, Dawson
Davis and Catharine Davis may be made parties defendant to this bill, and be re-
quired to answer the same; that by a decree of this honorable Court sale may be
made of the said land of Thomas Davis, and distribution of the proceeds thereof made
among the parties entitled thereto; that commission may be appointed to make
partition of the other lands aforesaid between the said Wm. A. J. Davis and Henry Davis
and the portion of the former set off by miles and corners, and that unless the said ad-
ministrators of the said Wm. A. J. Davis will admit personal appts sufficient for that
purpose that the portion allotted to the said Wm. A. J. Davis if such partition is practica-
ble, if not the whole subject, may be sold and the debts secured by the said
deeds of trust, may be satisfied out of the proceeds and the surplus applied to the
satisfaction of the judgment liens aforesaid and those of any other judgment creditors
who will contribute to the costs of this suit; that the said administrators under an ac-

Count of his transactions on the estate of the said intestate; that an account may be taken of your complainant's demands and those of all other creditors of Michael West J. Davis who may choose to contribute to the costs of this suit; and that such other and further relief may be granted on the premises as the value of the case may require or to equity shall deem meet, And your complainant will ever pray &c

Hayden & Atkinson per

Crocker Falls

(18)

as } Bill Lumbrell

Davis' Adm^r Falls

1869.

Sept. Rules - Sum. Exp. 12⁰⁰
Sept. filed & decm. vici n.
adult defn. Idm. ad titem
ap. to sing. their am. filed
& gen. exp.

Octo. Rules - 12⁰⁰ to know
for confid. or to adult
def. & set for hearing.

Octo. let. Decm for partition
& act. n.

May 1870 - Decm for sale n.

Apr. 1871 - Rept. of sale conf.

Octo. in cond.

Apr. 1872 - Decm for further
sale of land & to make deed
to first purchaser n.

July/73. Decm to collect &
make deed.

Aug/73 - Transferred for Co. et.
Sept. 19. 1873. Rept. under
decn of Jan 1873 filed.

Octo. /73 - De. to collect &
make deed & for a. n. t.

May 1874. De. for further
collections n.

Octo. /74 - De. for further
accts. & to pay out assets
of Emily Davis Est. for

Decr. 1879

Final Decree

1 copy

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

June 27th 1873

To

Plaintiffs

And

To *Caroline S. Davis administratrix of*
William A. J. Davis

Defendants:

You are hereby Notified, That I have fixed upon the *22^d* day of *July* next. if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my office aforesaid, the following accounts:

An account of the transactions of Caroline S. Davis as administratrix of William A. J. Davis decd.

Required to be taken by decree of Isle of Wight ~~County~~ Court, rendered on the *22^d* day of *June*, 187*3*, in a suit in chancery depending in the said court, in which you are Parties, Plaintiff's 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. Young

Commissioner.

Crocker & also

✓ w. $\frac{1}{2}$ Cons. Notice

Davis & also

to 22nd July 1870

✓

Executed by Delroning
to the within named
Caroline S. Davis a
true copy of the within
notice July 4th 1870

A. B. Edwards D.S.

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

Janry. 16th 1873.

To George R. Atkinson Trustee under deed of trust from
W. A. J. Davis for W. M. Crocker, Ro. W. Gibbs, C. B. Hayden
Trustee in deed from said Davis for said Gibbs trustee in deed
& R. H. Randolph Exor. of Jos. A. Graves Decd. Plaintiffs,
And

To Isaac Davis, Caroline S. Davis in her
own right & as adump. of W. A. J. Davis Decd.

Defendants:

You are hereby Notified, That I have fixed upon the *21st* day of
February 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 all debts and demands
against the estate of Emily Davis Decd. with
their dignities.

2nd. An account of all debts and demands
against the estate of W. A. J. Davis Decd.
with their dignities.

Required to be taken by decree of Isle of Wight County Court, rendered on the
10th day of *January*, 1873, 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.

L. P. Young

Commissioner.

Cockburn den,

Comms.
m. H. H. H.

Alario den,

to 21st. H. H. H. 1873.

Executed by returning to the written Rev R
Atkinson R. V. Randolph R. W. Gibby Co. R. H. H.
Hendon Davis & Caroline Davis a true copy of the
within summary January 22. 1873

L. B. Edwards Rept-
for E. J. Chapman Staff

Commissioner's Office,

ISLE OF WIGHT COURTHOUSE:

March 1st. 1871,

To J. P. Young adm. of Wm Crocker decd.
to H. W. Gibb

Plaintiffs,

And

To E. J. Davis adm. of Wm. a. J. Davis, Junr
E. J. Davis

Defendants:

You are hereby Notified, That I have fixed upon the 8th day of
April next. if fair, if not, the next fair day thereafter, (Sunday
excepted), to take and settle, at my office aforesaid, the following accounts:

An account of the transactions of William
M. Crocker as Exor. of Emily Davis decd.
and an account of the legacies bequeathed
by the will of Emily Davis decd. and
which are due and unpaid.

Required to be taken by decree of Isle of Wight ~~Court~~ Court, rendered on the
day of May, 1871, 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. Young

Commissioner.

Letter acknowledged.

Cover letter to Mr.

Mr. C. W. Weston

Dear Sir

20th April 1871.

Know all Men by these Presents, That we
C. B. Hayden Geo. R. Atkinson & John E.
Adams
are held and firmly bound unto the
Commonwealth of Virginia in the sum
of One Thousand Dollars to the pay-
ment 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
Third day of October in the year of our
Lord, one thousand eight hundred
and seventy.

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 1870 in a cause depending in
the said Court, in which William
H. Lescher & c et al were Plaintiffs and
Fenton Davis et al Defendants, the
above bound C. B. Hayden and Geo. R.
Atkinson were appointed Special
Commissioners to sell the land in the
proceedings mentioned, on the terms and
conditions mentioned in said Decree
and to do certain acts in connection

withsaid Sale, now if the above bound
C. B. Hayden and Geo. R. Atkinson
shall faithfully discharge their
duties as commissioners under the
said Decree or any future decree
in the cause, then the above
Obligation to be void, otherwise to
remain in full force and virtue.

Inste
N. P. Youngblk.

C. B. Hayden Seal
Geo. R. Atkinson Seal
John E. Adams Seal

Severker H. W. Mc. Adair
vs. } } Comrs Bond
Davis. Vail sold.

Nov. 7. 1890, filed.

2nd 11th 11th 11th 11th

Wm. J. Hair

to 3 notes \$14.50

for the 4 day of
November 1860

\$5.00

Deu Mr A. J. Edwards five dollars
& Sixty Cents for value Recd
given in my hand

Apr 28 1860

Wm. J. Davis

William L. Hall
to 3 1/2 of 5000
per Apr 25

1870

~~#22-82~~

On Demand I promise to pay or cause
to be paid unto A. J. Edwards the Just
and full sum of twenty two dollars and
eighty two cts for value received with my
hands and seal this the first day of
June Eighteen hundred and sixty one
Dated — — — W. A. Jones ^{seal}

W. A. L. Linn
to 3 on 1/2 2. 62

2000

Adams Co.

Adams

Adams Co

Adams Express

Johnson Adams

$$\begin{array}{r} 560 \\ 852 \\ \hline 2800 \\ 4480 \\ 280 \\ 4 \\ \hline 479 \end{array}$$
$$\begin{array}{r} 74.83 \\ 60114 \\ \hline 13.9 \end{array}$$
$$\begin{array}{r} 74.8.3 \\ 60 \ 4 \ 28 \\ \hline 14.3 \ 5 \end{array}$$
$$\begin{array}{r} 94.8.3 \\ 6161 \\ \hline 1322 \end{array}$$
$$\begin{array}{r} 74.83 \\ 6125 \\ \hline 13528 \end{array}$$

13528 14.50
 82 1/2
 2900
 600 11600
 88 1/2 89
 48000
 3.00
 200

$$\begin{array}{r} 5.10 \\ 479 \quad 10.39 \\ \hline \end{array}$$

22.82
18.43 40.85

$$\begin{array}{r} 600 \\ 488 \\ \hline 10.88 \end{array}$$
$$\begin{array}{r} 1456 \\ 1189 \\ \hline 8848- \end{array}$$

Dear A. G. Everett
I saw for value paid
W. Briggs my friend and read this the
3^d day of February 1868
Yours truly
Wm. H. Davis

I have

Mr. William A. Brown
to 3 land \$6.00
Dec 16 3-1861

In the Clerks office of the Circuit Court of
Joh of Wight County, the 7th. day of March 1859.

Charles B. Hayden & Joseph A. Graves . . . Plffs.
vs. $\frac{3}{4}$ In Debt.

William A. J. Davis Debt.

This day came the Defendant in person, and with the consent of the Plaintiffs in person, acknowledges the Plaintiffs action and confessed a judgment in favor of the Plaintiffs for fifty dollars, the debt in the writ mentioned, with interest thereon from the 7th. day of March, 1839, till paid, and their costs. Therefore it is considered that the Plaintiffs recover against the defendant, the debt aforesaid confessed, with interest aforesaid, and their costs in their behalf expended.

Costs \$6.76

a copy.

Teste J. P. Young & Co.

Ward & Gravo

v. 3 Colby Judgmt.

Co. A. J. Davis

Exhibit I

V

This Deed made this 3rd Day of January 1859
between William A. J. Davis of the County of Isle
of Wight & State of Virginia of the one part
and A. P. Young of the other part
Witnesseth, that the said William
A. J. Davis hath granted unto the
said A. P. Young the following
property, to-wit: a tract of land containing four acres
more or less adjoining the land of William M. Crocker, Jas. T. Cox
& others. & another tract containing by estimation forty acres,
adjoining the tract first mentioned, & the land of Tho. Solley
Pottery Banks & others. - also his interest, being one undivided
half of a tract of land lying in the County of Surry - adjoining the
land of Ro. R. Wilson, Wm. R. Wilson & others, also one blk
Horse, & Buggy - One Saddle, one pair Cart Wheels - and
his interest being one half of a Bed & furniture

In trust to save harmless & indemnify
William M. Crocker, Frederick T. Vail, Henry T.
Brink and John C. Thomas. and Henry P.
Howe.

who have this day become bound over
for the said Davis in his recognizance
entered into before Joseph P. Gay Sheriff
of Isle of Wight County, for his appearance
under a Capias ad audiendum in
the hands of said Sheriff against said
Davis.

Witness the following signatures &
Seals.

✓ Wm A J Davis Seal
✓ A. P. Young Seal
Seal
Seal

In the Clerk's office of Isle of Wight County Court
January 3^d 1859. this deed was received, and was
acknowledged by William H. Davis and Nathaniel
P. Young to be their act and deed, and thereupon
admitted to record.

Teste

J. C. Latimer D.C.

In Surry County Clerk's Office 8th January 1859
This deed of trust from William H. Davis to
N. P. Young trustee for William McCrocker and others
was this day received in this Office and with the
Certificate of the acknowledgment thereof, thereon endorsed
admitted to record.

Teste

Wm. D. Underwood cc

Wm. A. J. Davis

To. $\frac{3}{4}$ Trust Dues
N. P. Yarny trustee
for Wm. M. Crocker
& others.

Exhibit H

1859 Jan'y 8 Recd
with list: annexed
admt to recd.

Recorded Exam'd.
Page 170

Recorded in Book. No. 40.
Page 83

Tax paid in Jan'y. by
Jno & Thomas St

fee & tax paid by Jno & Co.
Thomas. \$2.25.

This deed, made this Seventeenth day of June
in the year One Thousand Eight Hundred, and
Fifty Seven, between, William, A. J. Davis, of the county
of Isle of Wight, in the state of Virginia, of the one
part, and C. B. Hayden, Trustee for the purposes here-
inafter mentioned, of the said county, of the other part,
witnesseth, that the said W^m. A. J. Davis, doth grant unto
the said C. B. Hayden, all the interest of the said W^m.
A. J. Davis, present, & future, of every & whatsoever nature
in & to the tract of Land in the county of same state
aforesaid, adjacent, to the lands of William R. Wilson,
Betsey Pool & others, containing by estimation three hun-
dred, & twenty two & a half acres, more or less, being all
the interest in the said land devised to said W^m. A.
J. Davis by the will of ^{Happy Nelson} ~~his late father Dawson Davis~~;
In trust, to secure to Robert, W. Gibbs of said county
the payment of the amount of a Bond, due by said
W^m. A. J. Davis, to said Gibbs, for Three Hundred dollars,
of even date with this deed & payable on demand.
And it is covenanted & agreed between the parties aforesaid,
that in case of a sale, the same shall be made, after
first advertising the time, place & terms thereof for at
least Fifteen days before the day of sale, at the door of
the court house of said county on some court day, & up-
on the following terms, to wit; for cash as to so much
of the proceeds as may be necessary to defray the expen-
ses of executing this trust, including a commission
of five per cent on the amount of sales, the fees for
drawing & recording this deed if then unpaid, & to

discharge the amount of money principal, and interest then payable on said ~~land~~, & if there be any residue of said purchase money, the same shall be made payable at such time, & be secured in such manner as the said grantor, his, executors, administrators, or assigns shall prescribe or direct, or in case of his, or their failure to give such direction, at such time, & in such manner as the said Trustee shall think fit. The said grantor covenants to pay all taxes assessments, dues, & charges upon the said property hereby conveyed, so long as he or his heirs or assigns shall hold the same. Witness the following signatures & seals -

W^m A. J. Davis

Seal

C. B. Hayden -

Seal

The undersigned his late father ^{Samuel Davis, in the foregoing deed were created & happy memory substituted before the execution of the deed -}

Sole of Night County;

W. A. J. Davis

C. B. Hayden

I, Albert G. Moody

a justice of the peace for the county aforesaid in the state of Virginia do certify that W^m A. J. Davis, & C. B. Hayden whose names are signed to the writing above bearing date on the 17th of June, 1857, have acknowledged the same before me in my county aforesaid.

Given under my hand, this 17th day of June, 1857 -

A. G. Moody, J. P.

In County Court for the County of Giles, June 1857
This deed of trust from William A. J. Davis to C. B. Hayden
for Robert L. Gibbs, was this day received in this office, and with
the certificate of the court of the said county, and the said deed, was
filed for record in the office of the said clerk of the said county.

Davis

Seal

Gibbs

1857 June 22nd Recd.

& with Cert: annexed
admitted to record.

Recorded & Examd.

Page 24

Exhibit. G.

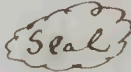
for the said

\$ 300.00

On Demand I promise to pay to Robert W Gibbs
his order or assigns the sum of Three Hundred
dollars, & to the payment thereof, hereby bind myself
my heirs, executors, & administrators, as witness my
hand & seal this 1st day of June 1857.

Teste-

C. B. Hayden

Wm A J Davis 

Mr. A. J. Davis

note

\$300

17 June 57

Exhibit
(H)

✓

This deed made this tenth day of April in the year 1856, between William A. J. Davis of the one part, and Francis C. Latham of the other part all of the County of Isle of Wight, and State of Virginia Witnesseth that the said William A. J. Davis doth convey to the said Francis C. Latham, his, the said William A. J. Davis' interest, being one half thereof, in a certain tract of land situated in Surry County in the State aforesaid containing about three hundred and twenty one and a half acres, and adjoining the lands of William R. Wilson, James S. Wilson and Merit Pool, and lying on Lawns Creek, in trust to secure to William M. Crocker the payment of a certain bond executed by the said William A. J. Davis, bearing date on the 8th day of April 1856, and being for the payment of two hundred and seventy nine dollars, and sixty six cents on the same day and it is covenanted and agreed between the parties aforesaid, that in case of a sale the same shall be made after first advertising the time and place and terms of sale for ten days at two or more conspicuous places in the County of Surry, and upon the following terms to wit, for cash as to ^{of the proceeds} so much as may be necessary to defray the expenses of this trust and to discharge the amount of money principal and interest then payable upon the said bond, and if there be any residue of said proceeds, the same shall be made payable at such time and be secured in such manner, as the said William A. J. Davis,

his executors administrators or assigns, shall prescribe and direct, or in case of his or their failure to give such direction, at such time and in such manner as the said Francis C Lattimer shall think fit, and the said William A. J. Davis covenants to pay all taxes, dues, and assessments and charges upon the said property, hereby conveyed so long as he, his heirs, or assigns shall hold the same. Witness the following signatures and seals.

Wm A. J. Davis *seal*

F. C. Lattimer *seal*

Isle of Wight County, to wit

I George R Atkinson
a Notary Public for the County aforesaid in
the State of Virginia, do certify that William
A. J. Davis, and Francis C Lattimer whose names
are signed to the writing hereto annexed, bearing
date on the 10th day of April 1856, have acknow-
ledged the same before me in my County aforesaid
given under my hand this 10th day of April
1856

George R Atkinson N.P.

On Suny, County Court Clks Office 12th April 1856

This deed of trust from William A
J Davis to Francis C Lattimer trustee for William
M. Crocker was this day received in this Office
and with the certificate endorsed thereon of the
acknowledgment thereof by the parties thereto, before
a Notary Public for the County of Isle of Wight, admitted
to record,

Teste, Wm. P. Audinwood c.c.

Also copy, Teste,

A. S. Edwards D. D. C.,

Davis
to
Crocker's trustee

Alc copy

Recd book 13, Page 677.

Recd. E.

This Deed made the 9th day of April in the year 1856
between William A J Davis of the one part and George R
Atkinson of the other part, all of the County of Isle of
Wight and State of Virginia, witnesseth that whereas the
said William A J Davis did on the 8th day of April 1856
by and convey to the said George R Atkinson one tract
of land and his the said William A J Davis interest in
two other tracts, in trust to secure to William M Crocker
the payment of a certain bond executed by the said
William A J Davis bearing date on the 8th day of April
1856 and being for the payment of two hundred and se-
venty nine dollars and sixty six cents on the same day
and whereas the interest of said William A J Davis, ^{in said lands} is
improperly described and is not such as is described in
said deed, to wit instead of owning the whole of the tract
containing about two ^{acres} first mentioned he owns only one fourth
thereof the said William A J Davis, Anton Davis and Ca-
milla Davis being coparceners, his interest in the second
tract mentioned in and conveyed by said deed, instead of
being one half of the reversion dependant on the life estate of
Emily Davis, is the whole of the reversion thereof dependant on
the life estate of Camilla Davis, and his interest in the
third tract conveyed by said deed is one half of the reversion
thereof dependant on the life estate of Camilla Davis, instead
of Emily Davis, and whereas the said William A J Davis
not deeming the property conveyed in said deed ~~and~~ suf-
ficient to secure the payment of said debt, and being desir-
ous fully to secure the payment of the same now this Deed
further witnesseth that in consideration of the premises the
said William A J Davis does convey to the said George R At-
kinson all of his, the said William A J Davis interest in the tracts
of land conveyed in said deed which was not conveyed by the
same, the intent, purpose and object of the said William A
J Davis being to convey to the said George R Atkinson the whole
of his the said William A J Davis interest in said tracts of

lands, also the following property to wit the interest of the said William A J Davis in a tract of lands situated in Isle of Wight County in the State of Virginia which belonged to Thomas Davis and was devised by him to his wife one Sally Davis for life and after her death to every person one of whom was Dawson Davis the father of the said William A J Davis; also one claybank horse, one buggy one cow one bed one safe, one table one clock and one cart and wheels. And it is covenanted and agreed between the parties aforesaid that in case of a sale, the same shall be made after first advertising, the time, place, and terms thereof for ten days in Smithfield and at one or more conspicuous places in said county, and upon the following terms to wit for each as to so much of the proceeds as may be necessary to defray the expenses of this trust, the fees for drawing and recording this deed, if then unpaid and to discharge the amount of money, principal and interest then payable upon the said bond, and if there be any residue of said proceeds, the same shall be made payable at such time and be secured in such manner as the said William A J Davis his executors administrators or assigns shall prescribe and direct or in case of his or their failure to give such direction at such time and in such manner as the said George R Atkinson shall think fit. The said William A J Davis covenants to pay all taxes assessments dues and charges upon the said property hereby conveyed so long as he or his heirs or personal representatives shall hold the same. The insertion of the word "acres" in the sixteenth line and the words "in the said land" in the ~~thirtieth~~ line and the erasure of the word "not" in the twenty sixth line of this deed were made before signing and sealing of this deed. Witness the following signatures and seals

Wm A J Davis Esq
Geo R Atkinson Esq

Isle of Wight County to wit I Joseph R Atkinson a justice of peace for the county aforesaid in the State of Virginia do certify that William A J Davis and George R Atkinson whose names are signed to the within writs annexed bearing date on the 9th day of April 1856 have acknowledged the same before me in my county aforesaid in and under my hand this 9th day of April 1856

Joseph R Atkinson J.P.

In The Clerk's Office of the County Court of Isle of Wight County April 10th 1856. This deed was received, and admitted to record upon the Certificate hereto annexed of the acknowledgment of William A J Davis and George R Atkinson before Joseph R Atkinson a Justice of the peace for the County aforesaid.
Teste. J. C. Latimer D.C.

William A. Davis

To { Deed of Trust

George R. Atkinson (trustee
for Wm. M. Crocker

April 10th 1856. Certified
and admitted to record.

Exhibit
(D)

Recorded in B. No. 39
Page 355.

Fee & Loss paid for 2.25

1.29.83
11
11
11
279.66
1.40
10
4
2
281.06
16
12
261.00
19.2
10
202
19.25
762
28.87
19.25
19.53

I bind myself and heirs to pay to William M Crocker
or assigns the sum of Two Hundred and Seventy nine Dol
lars and Sixty six Cents ~~Attest~~ my hand and Seal this
eighth day of April 1856.

Wm A, J, Davis Secy

William C J Barr
to { Bred

At M Lecher

\$279.46
6.50
286.16

✓

May 4th 1856 Received
from Two hundred & sixty one
dollars.

276.69
1.3804

Wm Lecher

279.66
1.33
281.00

276.69
1.33

277.42
3.24

274.18
2.4300

31.18

5.00

26.18

81.
4
85

0.18 7.44
2.800 6.00
5.04 13.44

am indebted the sum of nineteen dollars
& 25 cts on account April 10th 1856

W. A. I. Davis

PAZ Bury
and of the
11/12 2000

✓

This deed made this eighth day of April in the year 1856 between William A J Davis of the one part and George R Atkinson of the other part, both of the County of Isle of Wight and State of Virginia witnesseth that the said William A J. Davis doth grant unto the said George R Atkinson the following property, to wit, one tract or parcel of Land containing about two acres situated in the County aforesaid, adjoining the land of William M Crocker, and lying at the intersection of the two roads leading from Smithfield to Mill Swamp, also his the said William A J Davis interest. (to wit one half of the reversion dependant on the life estate of one Emily Davis) in and to this tract or parcel of Land containing about two acres, situated in said County, adjoining the land of William M Crocker, and the aforesaid tract also his, the said William A J Davis interest, (to wit one half of the reversion dependant on the life estate of Emily Davis) in one other tract of Land ~~of land~~ situated in said County, containing about thirty acres and adjoining the land of W M Crocker, Thomas Soliffe Sr from Banks and James T Crocker and was formerly owned by Dawson Davis, In Trust to secure to William M Crocker the payment of a certain bond executed by the said William A J. Davis bearing date on the 8th day of April 1856 and being for the payment of Two Hundred and Seventy nine Dollars and Sixty six Cents or thereunto. And it is covenanted and agreed between the parties aforesaid that in case of a sale, the same shall be made after advertising the time place and terms thereof for ten days, in Smithfield in said County at two or more conspicuous places, and upon the following terms to wit: for each as to so much of the proceeds as may be necessary to defray the expenses of this trust including a commission to the trustee of Three and one third per cent of the proceeds of sale, and to discharge the amount of money

principal and interest then payable upon the said bonds and if there be any residue of said purchase money the same shall be more payable at such time and be secured in such manner as the said William A. J. Davis his executor, administrator or assigns shall prescribe and direct, or in case of his, or their failure to give such directions, at such time and in such manner as the said George R. Atkinson shall think fit. And the said William A. J. Davis covenants to pay all taxes, assessments, dues, and charges upon the said property hereby conveyed, so long as he or his heirs shall hold the same.

Witness the following signatures and seals.

Wm A J Davis Seal
Geo R Atkinson Seal

I, Joseph N. Atkinson, Justice of the Peace for the County aforesaid, in the State of Virginia do certify that William A. J. Davis and George R. Atkinson whose names are signed to the writing above bearing date on the eighth day of April 1856, have acknowledged the same before me in my County aforesaid from under my hand this 8th day of April 1856.

Joseph N. Atkinson J. P.

In the Clerk's office of the County Court of Isle of Wight County, April 8th 1856. This deed was received, and admitted to record upon the Certificate hereto annexed of the acknowledgment of William A. J. Davis and George R. Atkinson the parties thereto, before Joseph N. Atkinson a Justice of the Peace for the County aforesaid.

Teste. F. C. Sattermer d.C.

Wm. A. J. Davis

Lo } 2 Deed of
 } 3 Trust

April 8th 1856 - certified
and admitted to record

Geo. R. Atkinson Trustee
for Wm. M. Crocker

April 8th 1856. Certified
and admitted to record
Exhibit
(L.)

Recorded in B. No. 39 -
Page 353

Tax p^c. \$4. Fee p^c. \$1.25
making \$5.25
H. C. L.

In the name of God Amen: I, Dawson
Davis of the County of Surry being
of a sound and disposing mind do
make this to be my last Will and
Testament, that is to say: First I desire
that my body may be buried at the
direction of my wife, and all of my
just debts may be paid; then I leave
to my two sisters during their life the
tract of land adjoining William Crocker
Containing about forty acres, and at
their death I wish it to go to my children
and their heirs forever. Then I leave to
my wife so long as she remain single
and no longer, the tract of land whereon
I now reside, and all of my other
property real and personal. I leave
the above property to my wife, (except
the forty acres land) during her life,
provided she does not get married,
and in that event I wish her to be divided
and one third set apart for her, and
the other two thirds to go to my children
and their heirs forever; and at the death
of my wife I wish all my property
real and personal to go to my children
and their heirs forever. I wish my two
sisters to be my Executors without giving
any

any security I declare this to be
my last will and testament for
which I have set my hand and seal
this eleventh day of April, one thousand
eight hundred and fifty.

Acknowledged Dawson ^{his} X Davis (Seal)
mark

and declared in the

presence of

Thomas Jones }
Ro. W. Gibbs }

In Tarry County Court 27th May 1850.
This last will and testament of Dawson
Davis deceased was this day presented
in Court and proved according to law
by the oaths of Thomas Jones and Robert
W. Gibbs the subscribing witnesses thereto
and thereupon ordered to be recorded
And on the motion of Emily Davis and
Catharine Davis the Executrixs therein
named, who made oath thereto, and enter-
ed into, and acknowledged a bond in
the penal sum of one thousand dollars
conditioned as the law directs (no security
being required) Certificate is granted
them for obtaining a probat of said will
in due form

Attest Teste Wm. P. Hudsonwood cc.

Teste

A. L. Edwards for cc.

Janson Jarvis's Will

- Copy -

Will Book 7. Page 429

For 50¢

Know all men by these — that I Thomas Davis of the
County of Isle of Wight and State of Virginia being
— in body, but of sound mind and memory, do make
and ordain this to be my last Will and Testament in
manner and form following, to wit: 1st I do lend
unto my beloved wife Sally during her natural life, all my
estate real & personal of every kind & nature after
the payment of — just debts, and at her death I wish
my said estate sold and equally divided between all
my brothers and Sisters and Mary that I took from the Poor
House and raised, to wit: My brother Hardy Davis, Dawson
Davis, and my sister Kitty Davis, Milly Davis and Rebecca
wife of Harrison Glover and the said Mary whose maiden
name I have forgot, application may be made to Mr.
Geo: Gale or Capt: James Johnson, who knows her name, to
them and their heirs forever, 2nd I do appoint my friend
James Crocker my whole and sole Executor to this my last
Will and Testament revoking all others. — In evidence
hereof I do hereunto sign my name and affix my seal
this 8th day of December 1827.

signed sealed & published as & for
my last Will & Testament,

Thomas ^{his} Davis
mark.

(Seal)

In presence of
Andrew Woodley }
Scharbrook ^{his} Lolliff }
 ^{mark}
Winney ^{her} Davis }
 ^{mark}

At a Court held for Isle of Wight County the 7th day of January 1828
The above Will was presented in Court and proved by the oaths
of Scharbrook Lolliff & Winney Davis two of the Witnesses thereto:
was ordered to be recorded — James Crocker the Executor
therein named refused to take upon himself the burthen of
the execution thereof. Teste, Nathl: Young C.L.
a copy. Teste C. H. Horst C.C.

Thur, Davis'

will

Exhibit A

Exhibit A

Exhibit A

Exhibit A

1844

In the name of God amen: I Heppy Nelson
of the County of Isle of Wight & State of Virginia
being in my perfect senses, do make & ordain
the following writing to be my last will &
testament: in manner and form as follows,
to wit;

Item 1st. I first desire that all my debts
and funeral expenses out of my personal
estate, by executor hereafter to be named.

Item 2nd. I give & bequeath to my friend Martha
W. Davis, now the wife of Dawson Davis, during
her natural life, all my land in the County
of Surry, containing by estimation three hundred
acres, it being the land on which the said
Dawson Davis now lives; and at the death
of the said Martha W. Davis, I give and
bequeath the same to be equally divided
between all her children that may be living
at the time of her death. but in the event
that at the time of the death of the said
Martha W. Davis, any one or more of her
children may have died before her leaving a
child or children: then I wish & desire that
the said child or children, may receive the
portion which would have got to his or these
deceased parents if living at the time of the
death of the said Martha W. Davis.

Item 3^d. I give & bequeath unto the said Martha
W. Davis, all the articles of chattel property

which I commonly use about my chamber, such as my bed, bureau &c &c to her & her heirs forever.

Item. 4th I wish & desire that after my death my executor shall take charge of all my negroes & hire them out for five years from & after the end of the year in which I may die; and at the end of the said five years, it is my will and desire that all the negroes that may be living whether now alive or may be born before the end of the said five years, be emancipated & set free, with this express condition that if any of them should refuse to work and run away, he, she or they shall not have their freedom until they shall have rendered full five years service as aforesaid.

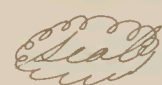
Item. 5th I wish & desire that if at the end of the said five — any of my negroes should be unable from old age discreditude or other infirmity to support himself and be a charge on my estate, that my executor sell the same at the lowest price possible to some humane master & pay the amount out of my estate & if any one or more of them should prefer remaining in slavery rather than submit to the laws requiring emancipated slaves to leave the commonwealth, then and in that case, I authorise my executor to sell him, her or them & apply the money arising from said sale as

hereinafter directed:

Item. 6th the balance of my estate not otherwise disposed of, together with the money arising from the hire of my negroes as aforesaid, I wish to remain in the hands of my executor until the end of the said five years aforesaid, without his paying any interest for the same: at the end of which time after paying all the expences of taking care of & maintaining said negroes, I wish the balance remaining in his hands to be equally divided amongst all the negroes that may be emancipated as aforesaid, my executor paying out of the portion of each the expences of removing him to Africa or some or some other state, and the balance to be paid to the individual himself. & in the case of children, the portion of each to be paid to the mother or guardian.

Item. 7th I hereby appoint & constitute Joel Holleman executor of ^{this} my last will & testament & revoke all other wills heretofore made. In testimony whereof, I have hereunto set my hand & seal, this 27th day of December eighteen hundred & thirty seven

Teste

H. Nelson 

Gray Carroll
John Carroll

In the county court of Sale of Wight, January 6th 1840 this will of Heppy Nelson was proved by the oaths of Gray Carroll & John Carroll the

witnesses thereto & ordered to be recorded, & on
motion of Joel Holleman the executor therein
named, who made oath thereto according to law
& together with Hoy Carroll & Albert E. Wrenn his
securities, entered into & acknowledged a bond in
the penalty of \$12000⁰⁰, conditioned as the law directs,
certificate is granted him for obtaining a
probate of said will in due form of law.

Teste.

Nath^l. Young cl. Jof W. cy.

A copy.

Teste.

N. P. Young D.C.

Happy Nelsons
will.

Exhibit A

In the name of God amen, I Emily Davis of the County of Isle of Wight and State of Virginia, being in sound mind and good memory do make and ordain this to be my last will and Testament in manner and form following to wit:

First, I give and bequeath unto Shadrack King (Free negro) fifty dollars to him and his heirs forever.

Second, I give and bequeath unto Ellen Lones (Free negro woman) fifty dollars to her and her heirs forever —

Thirdly, I give and bequeath unto Eliza Lones (Free negro girl) fifty dollars, and my wearing apparel to her and her heirs forever;

Fourthly — Give and bequeath unto Martha Crocker ~~my~~ Bureau to her and her heirs forever —

Fifthly, I give to Louisa Crocker — the daughter of Wm Crocker one Silk Shag to her and her heirs forever —

Sixthly, I give and bequeath unto Mary Crocker my Gold ring to her and her heirs forever —

Seventhly, I give and bequeath unto Susan Cocks, Ten dollars to her and her heirs forever, —

Eighthly, I give and bequeath unto my nephew Fenton Davis, one Silver watch —, also the balance of my estate real and personal to him and his heirs forever, Further it is my will and desire that my Executor shall have the right to spend all or any part of the amount which the said Fenton Davis may get under my will,

Lastly, I appoint Wm M. Crocker my whole and Sole Executor to this my last will and Testament,

Given under my hand and seal, this 15th day of May: one thousand eight hundred and sixty-one,

Witness,

James T. Cocks. }

John H. Crocker }

Emily ^{her} Davis (seal)
mark

In the County Court of Isle of Wight County, March 4th 1864, the last Will and Testament of Emily Davis decd, was presented in Court, and was proved by the oaths of James, J. Cocks, and John H. Crocker the subscribing Witnesses thereto, and ordered to be recorded, and on the motion of Wm M. Crocker the Executor there in named - who made oath & with John H. Crocker his security who justified entered into and acknowledged a bond in the penalty of \$600.00 Conditioned according to law, Ordered that said bond be recorded,

Teste

at. P. Young clk.
a copy. Teste, A. P. Young D.C.

Emily Davis'

Will

Exhibit A

I Catharine Davis of the County of Isle of Wight do constitute & declare this to be my will & Testament in manner & form following, That is to say,
First I give & bequeath to my sister Camilla Davis for & during her natural life my mansion house and one half of my land to be divided by a line midway between the said house & the Shop ^{which} I have just built. and after her death to my nephew William Davis the son of Dawson Davis, but if the said W^m Davis should die without leaving a child or children living at the time of his death, and before he arrives at the age of Twentyone years, then the said — to go to his brother, Fenton Davis, and in the event of his death before arriving at the age of Twentyone years without a child or children living, then to Robert Henry Davis also my nephew, Second. The other half of my land on which I have recently erected a building for a Shop, I give & bequeath to my nephew Robert Henry Davis, but if he should die before arriving to the age of Twentyone years without having a child or children living, then I give & bequeath it to the oldest child which my niece Elizabeth Thomas Davis may have living at the time, Third, I give & bequeath to my sister Camilla Davis all my personal property not herein otherwise particularly disposed of to her & her heirs forever.
Fourth, I give one bed & furniture to Robert Henry Davis, and one gold ring to Robert & Elizabeth T. Davis each, and I desire that after the death of

my sisters, my silver spoons may be divided between
them, Fifth, I bequeath to my nephew Wm Davis, one
cow of his fathers choice, Sixth, I nominate and
appoint my brother Dawson Davis executor of this
my will, hereby revoking all others which I have
heretofore made, In testimony of which I have
hereunto set my hand and seal this 25th day of
October 1846.

Teste

Catharine ^{her} X Davis (Seal)
mark

Arthur Smith

Wm M. Crocker

In Sole of Wight County Court, Novr. 1st 1852. The last
will and testament of Catharine Davis dead, was
presented in court and proved by the oaths of Arthur
Smith & Wm M. Crocker the subscribing witnesses thereto
and ordered to be recorded, And on the motion of Benjⁿ
Jones who made oath according to law, and with
G. F. Wrenn his security (who justified) entered into
and acknowledged a bond in the penalty of four
hundred dollars, conditioned according to law
Certificate of administration with the will annex-
ed is granted him in due form of law,

Teste

N. P. Young Clk

A Copy Teste

N. P. Young & Co

Catharine Davis

Will

(A)

Crocker about 1/2

78

Davis some 1/2

This case came on this day to be again heard on the papers from the
its court doth a.o.d. that the adm. of Cecilia Davis pay the unpaid costs of the
dead and was argued by Crocker On consideration of the papers and
it appearing to the court that there is nothing further to be done herein
it is ordered that the same be removed from the docket

George Allen & Co

21

George Allen & Co

Allen

October Term 1899

Is continued

Geo. Allen.

Ento. 11

X²

Indebted to you for May 24th 1874.

Am. Minister & Consul

P. Smith

2.

Enter-Dari; and thus

Lyndene

This case caused it to be suggested that since the last decree in the
 said Centon Davis has departed this life and ad. no restoration of his estate
 as it is in record here to support or bring on with the case, James Adams
 has been ordered that the said estate be committed to J. P. Adams Sheriff of St. Louis
 as was granted to Caroline Davis as ordered with the consent of the Court.

Carolus Davis that this Court proceed against him as administrator of
an estate consisting of said L. B. Edwards proceed against him as adm^r of an estate unlawfully
received by him, came on this day to be again heard on the papers formerly
on the petition of A. J. Edwards.

And on the report of Commissioner Johnson was agreed by

General. In consideration whereof the said letter is referred, said report to the said St. Edwards be permitted to share with the other ^{annual} endow of Wm. H. Davis in the distribution of ^{in copies and that} there no exceptions were filed, and both 20th that comr. C. B. Hayden

and Whelan on filing their bill therefor so as to secure from the Clerk of this Court the bond of R. H. Fisher and Geo. J. Brazier for \$10,000⁰⁰ with interest from the date thereof returned with the report of Sale herein of said Court the certificate of Deposit of the Farmers & Merchants Exchange Bank for \$287⁸⁹ and the certificate of Deposit of the Cash Bank for \$144⁰⁰ returned the reports of collection & Deposits^{being} of said Court and proceed to collect the same, and after paying the unpaid costs of this Court pay of the proceeds of Sale of the Chop tract one eighth to Caroline

Davis adv^t of Antoin Davis adv^t two eighths to L B Edwards
de bus sum with the full amount.
adv^t of Samuel Davis, adv^t of the piece, of Sale of the Thomas Davis tract
they pay to L B Edwards adv^t de bus sum of Wm J Perkins (4/24) four
twenty fourths, to L B Edwards adv^t de bus sum of Hardy (5/24) four
twenty fourths. to Caroline Davis adv^t of Antoin Davis (5/48) forty eighthths
to L B Edwards de bus sum with the full amount.
adv^t of Samuel Davis (20/48) twenty fourthths

Brother Luther

or } Acree

Brother Luther

May 1874

to be returned

Sept 3 1874

See the account for
the respective parties even
sent to the author's care

Geo. V. Leventhal

Geo. Benton & Co. in New

Geo. Benton & Co. in New

Mont. App.

C. 12 1874

R. M. Evers

Entered
40.

as reported by Lewis G. Young and his report of July 21st 1873, and
the duty of Edwards, and make report of these proceedings under this
recommendation it is further ordered that on the payment of the said bond
by the said Robert W. Smith, the said Geo. Benton & Co. who are
hereby appointed special commissioners for that purpose shall execute
to deliver the said Robert W. Smith a good & sufficient deed in full compliance
with special warranty for the tract of land purchased by him for
the sum of \$125 and interest, and interest on the said sum of which
Thomas Smith has been paid.

of the bill of the same, as stated by a newspaper of the date
before of February 21st 1869, under the report of the proceedings under the
same, That the parties a o t d that on the payment of the said
sum of \$2500 to Robert M. Baker and his L. Crocker, Deane & Co. and
H. Robinson who are hereby appointed Special commissioners for that pur-
pose, that would and binder to the said H. Robinson a good and sufficient
that on the payment of the said sum of \$2500 to the said H. Robinson and
his L. Crocker, Deane & Co. and H. Robinson, under the same terms of the terms 1870, being that
portion of the land in Quincy County whereof Kippie & Co. had a claim, which was ad-
mitted to the estate of H. Robinson by the report of Com^r H. Clarke, H. Warren &
H. Robinson in July Term 1869
That the parties a o t d that the said H. Robinson is to give all that part of the said tract
which is separated by a line from between the said tract and H. Robinson's land near
the fork of the road leading to Deane's Old Landing on Lewis Creek and run-
ning on a South easterly direction by a line of marked trees, nearly parallel
with the road leading to the said Landing, but crossing at its one end two points,
two small clearings standing immediately on the north side of said road;
there is also a line of marked trees, a large clearing
standing immediately on the side of the stream toward the corner of a swamp
near Deane's Cabin, since then the main run of said stream to Lewis
Creek adjacent to the lands of ———— and then
to the said H. Robinson and his L. Crocker, Deane & Co. and H. Robinson is the
Deane's share tract, bounded by the said H. Robinson's land to the N. E. corner,
adjacent to the lands of H. Robinson and his L. Crocker, Deane & Co. and H. Robinson
under the same terms of the terms 1869
of land near the said H. Robinson, bounded by a line running between the said
H. Robinson and the said H. Robinson, crossing at a cross fork on the road running to a
Swamp from the off side side of the field.

That the parties a o t d that a commission of the said H. Robinson
that the said H. Robinson is to give all that part of the said tract which is

Crocker to him

As of Dec 1873

to his father

October 4th term 1873

to his father -

to his father

Entered (29)

Crocker & Co.

vs

Carr & Co.

This cause this day came on to be again heard on the papers furnished read & on the report of Commissioner C B Hayden under the decree herein of June Term 1873, 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 therefor the three Bonds of J. J. Cocks & P. G. Gooding for \$3875 with interest from Feb 3^d 1873 payable respectively in ¹/₂ & ²/₃ years from that date returned with the report of Sale herein of Commissioner Hayden Attorney, which Bonds it is suggested the said P. J. Cocks is desirous to pay. Which Bonds the said C B Hayden who is hereby appointed special commissioner for that purpose is hereby authorized to collect; & deposit the proceeds thereof less the Costs of executing this decree in the Farmers Merchants Savings Bank of Smithfield, to the credit of this cause subject to the future order of the Court.

herein taking the Certificate of deposit of the
Cashier of said Bank therefor return the
Same to Court with his report of his proceed-
ings under this decree - And the Court
doth further adjudge order & decree that -
on the payment of said Bonds by the said
J. J. Cocks ~~the said~~ C B Hayden who is
hereby appointed Special Commissioner
for that purpose shall execute & deliver
to the said James J. Cocks a good &
sufficient deed in fee simple with
special warranty for the tract of Land
purchased by him for the sum of \$125.00
Under the decree herein of April Term
1872 known as the "Shop Tract," ^{containing by} derived by
^{estimated to be a case more or less} the mill of Catharine Davis, lying in the
County of Erie of right adjacent to the Mansuin
House tract, ^{& Land} ~~separated therefrom by a~~
& Land allotted W. S. G. Davis by the Commis-
sioners of Partition under the decree herein of
Oct Term 1869, separated therefrom by a line
commencing at a Locust post on the Road
midway between the Mansuin House & the Shop stream-
ing to a Sycamore tree on the opposite side of the field -

Collected

Recd by the owner
July Term 1873
To be enclosed -
Wm. J. Cocks

Cocks has taken
" "
Davis sold -

My L. Robinson & C. S. Strong are named under the herein of April term 1872
and on the report of Comm^y H. D. Strong
term 1870 and on the report of Comm^y

Robinson & others

v.

Davis & others

This cause in which it is suggested that since the last term herein that Francis Smith, Adm^r of Rebecca Glover and of Mary Purkison and Adm^r de bonis non of Hardy Davis & Adm^r de bonis non with the will annexed of Thomas Davis, Emerson Davis, and Catherine Davis, has departed this life, and that the estates of the said Rebecca Glover, & Hardy Davis, Mary Purkison, have been committed for Administration de bonis non, and the estates of said Thomas Davis, Emerson Davis, and Catherine Davis have been committed for administration de bonis non with the will annexed, to E. J. Chapman Sheriff of this County, it is by consent of said E. J. Chapman ordered that this suit proceed against him as such administrator; This day came on to be heard on the papers formerly read and upon the report of Comm^y H. D. Strong Under the date herein of Term term 1873

and was signed by counsel. On consideration
(by consent of counsel)
whereof the Court ^(all the) ~~concurring~~ ^{advised} reports to
which no exceptions were filed, doth adjudge
order and decree that C. B. Wazden who
is hereby appointed a special Commissioner
with power from the Clerk
for that purpose ~~draw out of the Farmers~~
Office of this Court the Certificate of deposit of the
Farmers & Merchants Savings Bank of Northfield Vt.
with the Clerk his receipt for the same and draw
out of said bank on said certificate
the sum of ~~one hundred and~~ one hundred and
forty three dollars and twenty cents (\$143.50^x)
with interest thereon from the 31st May 1872,
until drawn out
being one half the amt. in said Bank to
the credit of this cause as shown by the said
report of Comrs. Atkinson & Wazden filed
herein, and pay the same to Preston Davis
or his attorney, taking his receipt for the
same and filing it among the papers in
this cause. And the Court doth ^(further) ~~and~~
judge order & decree that a Comr. of
this Court take the following accounts

- 1st The amount of the transactions of
Caroline S. Davis ^(as) ~~Adm^x~~ of Wm. S. D.
Davis dec^d, and report the same to Court
- 2^d The acct. of the ~~transactions~~ ^{of} ~~Wm. S. D.~~

~~Directly & solely by Every One's~~
with any other matters deemed pertinent by
himself or required by any party-here to
be so reported

Coastal & other

" 3/4 of them

Deer & others

~~June~~
June 1896

To be entered

Coastal & other

Entered,

In Isle of Wight County Court, Jan'y 10th 1873,

Wm. M. Crocker, in his own right & as Exor. of
Emily Davis, Geo. R. Atkinson Trustee
under deed of trust from W. A. J. Davis to
said Wm. M. Crocker. Ro. W. Gibbs, C. B.
Hayden Trustee in a deed of trust from
W. A. J. Davis to Ro. W. Gibbs. C. B. Hayden in his
own right. & R. H. Randolph Exor. of Joseph A.
Graves. Pliffs

vs.

J. L. L. L.

Henton Davis, Caroline S. Davis in her
own right & as Admrs. of W. A. J. Davis, &
Willis P. Davis & Martha J. Davis last two
infants Defts.

This Cause came on to be again
heard on the papers formerly read. & was argued
by Counsel. On consideration whereof the
Court doth adjudge, order & decree that a
Commissioner of this Court take the fol-
lowing accounts.

- 1st An account of all debts & demands against
the Estate of Emily Davis dec'd, with their dignities.
- 2nd An account of all debts & demands against
the Estate of W. A. J. Davis dec'd, with their
dignities, which accounts he shall take
settle and report to Court with any
matters specially stated deemed pertinent
by himself, or required by the parties to be so
stated.

A Copy. Teste.

C. H. Hart. D. C.

Wm M. Crocker et al.

2 Copy of decree
vs. } of Jan'y Co. Ct
1873.

Davis et. al.

Jan. 16th 1873.
Notice is. to 21. Feb/73

To Court in
Chy -

As the 1-

4

Ward 1-

This cause this day came on to be again heard on the papers formerly read, & was argued by counsel, on consideration whereof the Court doth order that a commission of this Court take the following of:

1st An account of all debts & demands against the estate of Emily - Ward dead with their deposits

2^d An account of all debts & demands against the estate of W. D. Ward dead with their deposits which of & he shall take settle & pay with any matters specially stated deemed pertinent by himself or required by the parties to be so stated

Cracker
" "
Guns -

Ralph Elmer
July 1875

to be sent -

Prostitution

Entered

In Isle of Wight Circuit Court, Octo. 19th 1872,

Wm M. Crocker & Co.

vs.

Davis & Co.

In lby.

Pliffs.

Defts.

Upon the motion of Newton Davis and
by consent of parties, it is ordered that
this Cause be removed to the County
Court of Isle of Wight County for further
proceedings herein.

Attest,

Wm M. Crocker & Co.

Brocker vals,

vs. { Copy order
Octo. Cir. Ct.
1872,

Davis vals,

Crocker &c.

17

. Kline &c.

Upon the motion of
Frederick Kline, made by consent of
parties it is ordered that this
cause be removed to the County
Court of Erie & High County, for
further proceedings herein

Brother in
the } Order
of the

Order of the
of the
of the

No. 91

Order 1/2

W^m M. Crocker sals.

^{vs.}
Davis sals.

This cause this day came on
to be again heard on the papers formerly
read & on the Reports of G.R. Atkinson
& C. B. Hayden Commissioners of Sale
under Decree herein of 'May Term 1870
& was argued by counsel on consid-
eration whereof the Court said
that said Reports of sale be confirmed
& that this cause be continued

Wm M Crockett
Is,

Davis & Co

Rough Deeree
April Term
1871

To be entered.

Geo. Blood,

Entd

W. C. 1 -

In the Circuit Court of the County of Wright, April 19th 1892

Decker and others
vs
Davis' Adm^r and others

In Chancery

Plaintiffs

Defendants

It is come upon in this case to be again heard on the papers formerly read and was
advised by counsel. One consideration thereof the court doth advise that H. B. Hayden
and George Detkenism, commissioners of sale appointed by a previous decree of this court
do proceed to sell the land in these proceedings mentioned that was not sold at the former
sale, to wit the tract of land known as the "Chap tract", at public auction at the County of Wright
at house on some court day after having advertised the same, placed and terms of sale
for at least twenty days by advertisement at three or more places in said county, and upon
the following terms to wit for cash or to so much of the proceeds of sale as shall be necessary to ^{pay} the
expenses of sale, and ~~for so much~~ for the remainder shall take bonds with sufficient security
in equal amounts payable in one two and three years from the day of sale with interest from
date.

And the court doth further adjudge order and decree that the said commissioners do receive
from the Clerk of this court, giving them their receipts therefor, the sum of seven hundred
and seventy dollars which sum they shall proceed to collect and deposit for proceeds
in the Farmers Merchants Savings Bank of Southfield to the credit of this cause <sup>Subject to the further order
of this court</sup> and along the
receipt of the Cashier of said Bank for the same, and shall make a return to the court
for the land bought by him with special warranty, and make report
to court.

Book 1st

18

Book 2nd

Through the
line 19th 1872

To be entered

See 1st

Entered 8.

Crocker & als.

✓
Davis' admr & als.

This cause in which the death is suggested of William M. Crocker, complainant in his own right & as Executor of Emily Davis, & of the qualification of N. D. Young as Admr of said William M. Crocker, and of Francis Smith as Administrator de bonis non with the Will annexed of Emily Davis, it is ordered that this suit be revived in the name of said N. D. Young as Admr of said William M. Crocker, & of said Francis Smith as Admr de bonis non with the Will annexed of said Emily Davis come on this day to be again heard on the papers formerly read, and on the Report of James T. Edwards, B. Jones & L. W. Turner, three of the Commissioners for Partition of the lands in these proceedings mentioned in the County of Isle of Wight, and of G. T. Clarke, of William A. Warren & of Thomas B. Bell three of the Commissioners for Partition of the land in these proceedings mentioned in the County of Surry, under the Decree herein of October Term 1869, and was argued by counsel, on consideration whereof the Court confirming said Reports to which no exceptions were filed

doth adjudge, order & decree that L. R.
Atkinson & C. B. Hayden who are
appointed Special Commissioners
for that purpose proceed to sell at Public
Auction, at Sale Wight Court House on
after having given at least 20 days notice of the time & place of sale
of advertisement at the Court House door of said County on
some Court day. The tract of land in
some Court day previous to the day of sale and at
the County of Sale Wight containingly
other public places in said County.
estimation 30 Acres adjacent to the
lands of William M. Crocker, Sampson
Banks & James T. Cox devised by the
Will of Dawson Davis, & The Mansion
House Tract in said County devised
by the Will of Catherine Davis adjacent
to the lands of William M. Crocker &
the "Shop Tract" as bounded by the Report
aforesaid by a line midway between
the "Mansion House" & the Shop, com-
mencing at a locust post on the Road
& running to a sweet gum on the op-
posite side of the field of the Tract of land in
said County containing by estimation
30 acres whereof Thomas Davis dec'd
sized in the County aforesaid adjacent to
the "30 Acre Tract" aforesaid devised by
the Will of said Dawson Davis and at
Surrey Court House on some Court-
day after having given at least 20 notice
of the time, of place of sale by advertisement at
the Court House door of said County on

□ near the corner of the Road leading to Hanks and standing on lower bench, & springing in a South easterly direction by a line of marked trees & a road parallel with the Road leading to a Landing by crossing by a line of trees to a small piece of pine standing immediately on the N. W. corner of said Road, thence by a line of trees to a large tract of land on the N. W. corner of said Road, thence immediately on the side of the stream & creek to the corner of said stream & creek, thence down the stream & creek to the corner of said stream & creek.

some Court day previous to the day of sale and at other Public places in said County that portion ^(one moiety) of the land in said County whereof Heppes Nelson died seized in said County allotted to the estate of said William H. Davis by the Report of Commissioners G. T. Clarke W. A. Warren & Thomas B. Bell and bounded therein as follows to wit: all that part of said Tract lying on the East side of the line commencing at a line pine between the said Tract & Mrs. Wilson's land ~~containing by estimation~~ ^{acres} adjacent to the lands of

on a credit of 12 months with Interest from day of Sale except so much for Cash as will pay the costs of this suit & said sale inclusive of an Attorney's Fee of Thirty Dollars each to G. R. Atkinson & C. B. Hayden for their services in this cause; taking for the credit portion of said said Bonds, payable to themselves as Commissioners, 12 mos. from date with Interest from date with sufficient security, and return said Bonds to Court with their Report to Court of their proceedings under this Decree. But the effect of this Decree shall be suspended as to said sales until the

said Commissioners shall execute & deliver in the Clerk's Office of this Court a Bond with sufficient security in a penalty of One Thousand Dollars payable to the Commonwealth of Virginia conditioned for the faithful performance of this or any future Decree herein and the Court doth further adjudge, order & decree that a Commissioner of this Court take an account of the transactions of the said William M. Crocker as Executor of Emily Davis aforesaid & ascertain which of the legacies bequeathed by her said Will are in arrears & shall take as prima facie evidence, subject to the exception & disproof, any account of the legacies due & unpaid; which account the actions of said Wm. Crocker as Executor aforesaid that may have been taken in the County Court of Loudoun County, Virginia. Said Commissioner shall take settle & report to Court with any matters specially stated decree pertinent by himself, or required by the parties to be so stated.

Crocker & al

Davis' Admors

Rough Decree of
May Term
1870

To be entered

Geo. H. Brown, Jr.

Entered

In Isles of Wight Circuit Court, Oct: 20th 1869.

W^m Crocker in his own right and as exor: of
Emily Davis, Geo: R. Atkinson trustee in a
deed of trust from W. A. J. Davis for said W^m Crocker,
R. W. Gibbs, C. B. Hayden trustee in a
deed of trust from W. A. J. Davis for R. W. Gibbs,
C. B. Hayden in his own right, & R. H. Randolph
exor: of J. A. Graves

P^lffs:

vs:

In Chy:

Fenton Davis, F. T. Vail, W^m H. Casey adm^r, with
the will annexed of H. T. Brock, Jno: C. Thomas
Henry P. Howell, W. P. Young trustee under a
deed of trust from W. A. J. Davis for Jno: C.
Thomas & others, Caroline S. Davis in her own
right & as adm^r of W. A. J. Davis decd; Willis
P. Davis & Martha J. Davis (the last two infants) Def^s.
This cause in which the bill is taken for con-
fessed acts the defendants, Fenton Davis, F. T. Vail
W^m H. Casey adm^r, with the will annexed of H. T. Brock
Jno: C. Thomas, H. P. Howell W. P. Young trustee under
a deed of trust from W. A. J. Davis for Jno: C. Thomas
& others, Caroline S. Davis in her own right & as
adm^r of W. A. J. Davis, on whom process has
been duly served, they still failing to plead, an-
swer, or demur came on this day to be heard
on said bill & exhibits filed. The answer of the
infant defendants by W. P. Young their gd^r ad-
litem, & of Francis Smith S^hff: of the County of

of Isle of Wight, & as such adm^r. of Rebecca Glover
& Mary Parkinson, & as adm^r. de bonis non of Hardy
Davis, & adm^r. de bonis non with the will an-
nexed of Thos. Davis, Dawson, Davis, and
Catharine Davis, & general replication to the
answer of said infants, & was argued by
Counsel: on consideration whereof the Court
doth adjudge, order & decree that this bill be
dismissed as to the said defendant M. P. Young
trustee as aforesaid under the deed of trust
in these proceedings mentioned of Jan^y. 3rd
1859. & the defendants F. T. Vail, W. H. Casey adm^r. of
H. T. Brock, Geo. L. Thomas & Henry P. Howell as ben-
eficiaries under said deed; & that the lands
conveyed by said deed are discharged of the
liens created thereby, & the Court doth further
adjudge, order & decree that Jas. T. Cox, Jas.
T. Edwards, J. W. Turner, Jas. Stallings, and
Burbin Jones, any three of whom may act,
proceed to make partition of the land where
of Catharine Davis died seized in said
County; & devised by her last will & Testament.
& allot to the estate of W. H. Davis the mansion
house tract as bounded & described in said
will: & allot three eighths of the Shop tract as devis-
ed by said will to ^{the said} Fenton Davis: & five eighths
of said tract to W. H. Davis: having regard
to quantity & quality; & allot one half of the
thirty acre tract devised by the will of

Dawson Davis. lying in said County, adjacent to the lands of W^m M. Crocker, Sampson Banks & Jas. T. Cox: To said Fenton Davis, & the other half to the estate of the said W^m A. J. Davis, having regard to quantity & quality. And the Court doth further adjudge order & decree that W^m A. Warren, W^m T. Doyle, Thos. B. Bell, Jos. H. B. Charn, & Geo. T. Clarke, who are hereby appointed Com^{rs} for that purpose, any three of whom may act, proceed to make partition in equal moieties between the estate of the said W^m A. J. Davis, & the said Fenton Davis having regard to quantity & quality of the tract of land in the County of Surry containing by estimation 322 1/2 acres, adjacent to the lands of W. R. Wilson, Betsey Poole & others, but if said Com^{rs} in either case should find such partition inconvenient or impracticable, & should be of opinion that a sale of the whole subject would most promote the interests of the parties, they will so report, with the reasons on which their opinion is founded, And the Court doth further adjudge order & decree that a Com^{rs} of this Court take the following accounts. 1st An acct: of the several debts secured by the deeds of trust, mentioned in the said deeds with their priority: And: An acct: of any judgment liens on the lands of which said W^m A. J. Davis

died seized with their priority, 3rd An acct: of the demands of all other creditors of said W. A. J. Davis who may choose to contribute to the costs of this suit, 4th: An acct: of the transactions of said Caroline S. Davis as admx: of said W. A. J. Davis, 5th An acct: of the real estate of which W. A. J. Davis, died seized & possessed with the fee simple & annual value thereof, which acts: 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.

A Copy Teste
C. H. Hart Clk.

Wm. M. Crocker & als: 38.
F. 4. C.

VS: } Copy Decree

Davis: Vail & als:

Crocker & als -

¹¹
Davis & als -

This cause in which the Bill is taken for confessed as to the Defendants Fenton Davis, F T Dail, Wm H Carey adm with the will annexed of H. J. Brock, John C. Thomas, Henry P Howell, S. P. Young, Trustee under Will of Trust from W A J Davis for Thos C Thomas & als, Caroline S Davis in her own right & as adm of W A J Davis, on whom process has been duly served, they still failing to appear, plead answer a demurr, came on this day to be heard on said bill & exhibits filed, the answers of the infant Defendants by S P Young their guardian ad litem & of Francis Smith Sheriff of the County of Isle of Wight & as such Administrators of Rebecca Davis, Mary Parkinson, & administrators de bonis non of Hardy Davis, & administrators de bonis non with the will annexed of Thomas Davis, Hanson Davis, & Catherine Davis, & general replication to the Answer of said Infants & was argued by counsel, on consideration whereof, the court doth adjudge order & decree, that this bill be dismissed as to the said Defendants S P Young Trustee as aforesaid under the Will of Trust in these proceedings mentioned of Jan 3^d, 1839, & the Defendants ~~Wm H Crocker~~, F T Dail, Wm H Carey Adm H J Brock John C Thomas & Henry P Howell as beneficiaries under said Will & that the lands conveyed & said Will & deed are discharged of the liens created thereon, & the court doth further adjudge order & decree that James T Cox, Jas T Edwards

Zachariah Turner, Jas Stallings, Benjamin
Jones any three of whom may act, proceed
to ~~make~~ the partition of the Land whereof Catherine
Davis died seized in said County & devised by her last
will & testament & allot to the estate of W A Davis
the Mansion House tract as foreended & described
in said will; & allot $3/8$ of the shop tract devised
by said will to the ~~estate of said~~ ^{said Fenton Davis} ~~W A Davis~~; $5/8$ of
said tract to W A Davis, having regard to quantity
& quality - & allot $1/2$ of the 30 acre tract ~~in said~~
~~County~~ ^{devised by the will of Wm Davis by will in}
said County adjacent to the lands of W M Proctor,
Garrison Banks, & James Hacks, to said Fenton
Davis, & the other $1/2$ to the estate of said W A
Davis, having regard to quantity & quality -
& the court doth further adjudge order & decree
that W A Davis, H J Byrle, Thos B Bell, J H
Bauman, Geo T Clarke

who are hereby appointed commissioners for that
purpose, any three of whom may act proceed
to make partition in equal moities between the
estate of said W A Davis & the said Fenton Davis
having regard to quantity & quality of the tract
of Land in the County of Levy, containing &
situation $322\frac{1}{2}$ acres, adjacent to the lands of
W R Wilson, Betsey Pooles & others - - But if said
commissioners in either case should find such
partition inconvenient ^{or impracticable} & should be of opinion that
a sale of the whole subject ^{may be made for the} ~~they will to report~~
^{benefit of the parties}

with the reasons on which their opinion is founded -
& the court doth further adjudge order & decree
That a Commissioner of this court, take the following
accounts -

1st

An account of the several debts secured
of the Estate of Trust mentioned in said
Estate with their priority -

2 -

An account of any judgment liens on said
lands of which said W. S. Jarvis died
seized with their priority -

3 -

An account of the demands of all other
creditors of said W. S. Jarvis who may choose
to contribute to the costs of this suit -

4 -

An account of the transactions of said
Caroline Jarvis as Adm^r of said W. S. Jarvis

5 -

An account of the real estate of which
said W. S. Jarvis died seized & managed
with the fee simple & annual value thereof -
Which account he shall take & settle & report to court
with any matters specially stated deemed pertinent
of himself or required of the parties to be so stated

Cracke Lals } 46
" "
" "
Cracke Lals }

Rough leaves
Oct Term 1869
To be entered -

E. L. P.

Received August 15th 1874 of H B Hayden Geo Robinson Comrs inst of
Brooks and Davis about the three Dollars for writing three deeds.

W K Chapman

Notary Public

In Isles of Wight Circuit Court October. 22nd 1873.

Wm. M. Crocker in his own right and
as Exor. of Emily Davis, & als. Plffs
vs, $\frac{3}{4}$ Sulby;

Heaton Davis, H. L. Vail & Co, Defts.

This Cause in which it is suggested to the Court that since the last decree herein E. Chapman Sheriff of Essex & Wight County to whom had been committed the estates of Rebecca Glover, Mary Parkinson & Hardy Davis for administration de bonis non, and the estates of Thomas Davis Dawson Davis & Catharine Davis for administration de bonis non with the will annexed has been removed from office, it is ordered that the estates of the said Rebecca Glover, Mary Parkinson & Hardy Davis be committed to L. B. Edwards Sheriff of this County for administration de bonis non; and that the estates of Thomas Davis Dawson Davis & Catharine Davis be committed to the said Sheriff for administration de bonis non with the will annexed, And by Consent of said L. B. Edwards, it is ordered

that this suit proceed against him
as such Adm'r; this day Came on
again to be heard on the papers
formerly read, And on the Report of
Comm'r Hayden under decree herein
of the July term 1873, of the County
Court, And was argued by Coun-
sel; On consideration whereof
the Court confirming said Re-
port to which no exceptions are
filed, doth adjudge, order and
decree that Comm'r ^{C.B.} Hayden and
G.R. Atkinson, on filing their re-
ceipt therefor, do receive of the
Clerk of this Court the bond of Ro-
bert W. Gibbs and John L. Wornable
for \$200. with interest from the
date thereof, And the bond of M. L.
Crocker & Eugenia Crocker for
\$129. with interest from the date
thereof, returned with the Reports
of sale herein of said Comm'r,
And proceed to Collect the same,
And after paying the unpaid costs
of this suit, inclusive of a fee of
Twenty dollars each to C.B. Hayden
& G.R. Atkinson for their services
as attorneys in this Cause.

apply the balance thereof to the payment of the Debts of W. A. J. Davis as reported by Com^r J. J. Young in his report herein of Feby: 21st 1873, and make report of their proceedings under this decree, and it is further adjudged ordered & decreed that on the payment of the said bonds by the said Robert W. Gibbs and M. L. Crocker, the said C. B. Hayden & Geo. R. Atkinson who are hereby appointed Special Commissioners for that purpose, shall execute and deliver to the said R. W. Gibbs a good and sufficient Deed in fee simple with special warranty for the tract of land purchased by him for the sum of \$250.⁰⁰ under the decree herein of May term 1870, being that portion of the land in Lunny County whereof Heppy Nelson died seized, which was allotted to the estate of W. A. J. Davis by the Report of Comrs: G. T. Clarke, W. A. Warren & J. B. Bell, under decree herein of October term 1869, and bounded therein as follows: to wit: All that part of the said tract Commencing at a line pine between the said tract and Wm R. Wilson's land, near the fork of the road leading to Davis' old landing, on Saw's Creek, and running in a

Southeasterly direction by a line of marked trees, nearly parallel with the Road, leading to the said Landing, but crossing it at one or two points, to a small spruce pine standing immediately on the north side of the said Road, thence nearly a due South Course by a line of marked trees to a large poplar standing immediately on the side of the stream, and near the source of a Swamp near Haywood's Cabin, thence down the main run of said Swamp to Law's Creek, adjacent to the lands of —, and shall execute and deliver to the said M. L. Crocker a like deed for the tract of land in the County of Essex of Wright, known as the "Mansion House Tract", devised by the Will of Catharine Davis to W^m A. Davis, adjacent to the lands of W^m M. Crocker, and Shop tract, as bounded by the Report of Commrs: J^{as} L. Edwards B. Jones, & G. W. Turner, under the decree herein of October term 1869, by a line midway between the mansion House, and the Shop. Commencing at a locust post on the road, running to a Sweet Gum on the opposite side of the field, And the Court doth further adjudge, order

and decree that a comr. of this court,
 shall state, settle and report who are
 entitled to and what are their respective
 shares in the proceeds of sale of the
 Tracts of land in these proceedings
 mentioned, and known as the "Shops.
 Tract" devised by the wills of Catha-
 rine Davis and Camilla or Emily
 Davis, the tract of land of 30
 acres devised by the will of Law-
 son Davis, and the tract of land
 devised by the will of Thomas Davis.
 together with any matters specially
 stated, deemed pertinent by him-
 self, or required by the parties
 to be so stated,

Attest, Teste,

C. H. Hart, D.C.

Costs of Suit since

May cir. Ct. 1890, up

to which time costs unpaid, to wit:

Clk. cir. Ct. fees . . . 7.12

Clk. co. Ct. " . . . 6.11

Comm. in ch. " for (3 sittings) 15.00

Shff. Edwards "

3.50 L. B. Carr and Shff

Costs to Octo. term 1893

\$ 31.73

Crocker et al.,

{ Copy decree
Vt, { Octo. 11. 1871
1870,

Davis et al.,

Mr. [illegible] [illegible]
[illegible] for [illegible]
[illegible] [illegible]

[illegible]