

1887-004
Isle of Wight County

Chancery Causes:

Josiah H. Underwood, gdn vs Leonora Underwood and Beatrice
Underwood, by vc

other surnames: Watkins,
Powell, Waddill, Eley

Underwood 900.
- 3 1/2 M. ch.
Underwood 1000.

Carpetts. Bill

March Rules 1887.
Bill to amend
Crown, app. gov. & then
to inf. rights & then and
fined.

Appl. Co. cannot set for
decisions on an. filed
at cost rails.

Oct 1833. Rept. Camp
and as to Collect birds

April Term, 1884
Alpha company - 1000

Oct: 1887-
Removal from
docket on new. 7/27/88

virginia

County of Los Angeles to wit:

2-C, 493.

I, Benj C. Roberts a voting public in and for
said county do hereby certify that J. H. Under
wood who while is above mentioned personally
appeared before in my county and swore and
said and made oath to the truth of the
statements therein contained - Given under
my hand this 21st day of April 1882

to aid in their education and suste-
nance.

That your Complainant is the duly
qualified guardian of said Leo-
nora & Beattie Underwood and
has executed his bond with
approved security for the faithful
discharge of his duties

And whereas your Complainant
is remediless here in a court of Equity
where such matters are cognizable
your Complainant prays that a
Guardian ad litem be appointed to
defend said infants, Leonora Under-
wood and Beattie Underwood, and
that they be made parties defend-
ant and required to answer this
bill

And your Complainant prays
that Commissioners be appointed
whose duty it shall be to view
said lot of ground and to take
and depositions as will show the
advantage and disadvantage of
a sale of said property to said in-
fants and refer to court,

which greatly enhanced its value -
that estate ~~for many~~ for several
years the said lot of ground had
been rented out - that said build-
ings are greatly in need of repairs,
that in a few years this property
if not sold will be utterly worth-
less to your complainant's word
and ^{that} ~~children~~ ^{own no other property} ~~children~~ - that your com-
plainant is unable to make
further advances to his children
in the way of repairing said
buildings, that in the opinion
of your complainant his children
and words would be greatly con-
sisted by a sale of said lot
of ground - because the dwell-
ing out-houses and fence on said
lot of ground are rapidly going
to ruin, ~~and~~ that said lot is lo-
cated in a central part of the village
of Windsor and in its ^{present} unpainted, and
dilapidated condition said lot
will not rent for enough to pay
taxes and other necessary expenses; ^{and}
that your complainant's children
and words are in great need
of the proceeds of said property

to the Honorable Mr. Chief Justice of
the Circuit Court for the County of
Kent.

20. p 93.

Your Complainant J. A. Under-
wood guardian of Leonora and Bea-
trice Underwood of the County of
Knoxmond humbly complaining
doth represent to your Honor;

That by deed from M. T. Withers
+ wife to Leonora and Beatrix
Underwood dated on the 24th day
of December 1871, a copy of
which is heretofore exhibit "A" is here
with filed and prayed to be read
as a part of this bill, the said
Leonora & Beatrix Underwood
my children acquired the legal
title to the lot of ground descri-
bed in said deed.

That at the date of said deed
said Leonora & Beatrix Underwood
were not to exceed two and four
years old - That the purchase
money of said property was paid
by your complainant. That
your complainant immediately
after said purchase erected several
buildings on said lot of ground

This day came Josiah Underwood
guardian for Leonora Underwood
and Beatrix Underwood, before
me a Notary Public in and
for the county of Isle of Wight
and State of Virginia in my
said county and state and
made oath that the statements
contained in the foregoing bill
are true. Given under my
hand this 19th day of August
1882 A.D.

W. S. Holland

Notary Public

J. H. Underwood & Co.
103 Amended Bill
L & B Underwood & Co.

for partition.

And whereas your complainant is remediless sore in a court of equity where such matters are cognizable he prays that said Leonora Underwood and Beatrice Underwood be made parties defendant to this bill and a guardian ad litem be appointed to defend them in this suit, and that said Josiah H. Underwood the father to said infants and their sole heir were they dead be made a party defendant to this bill, that said land be sold publicly or privately for cash a sufficient to pay costs and expenses of sale including a reasonable fee to W. S. Hallowell Attorney for the Plaintiff, the rest on a credit of six and twelve months that such other and further relief be granted as is meet and agreeable to equity and good conscience and your complainant will ever pray &c.

August 14th 1852 J. H. Underwood
W. S. Hallowell per

That your complainant and guardian for said infants is fully satisfied that a sale of said real estate would greatly promote the interests of said infants because:

1st The buildings on said lot are rapidly decaying and falling to ruins, that the property once rented for more than one hundred dollars and now it rents for fifty dollars per annum with a fair prospect of not being able to rent at all in a short while -

2nd The said infants own no other property either real or personal and can't do necessary repairs on said lot.

3rd Said infants are now of the ages of eleven and thirteen respectively and in great need of an elementary education which their father is unable to give.

4th That said ^{lot} "now would sell well on account of the present high prices in London and Windsor."

5th That said property cannot be divided in kind and would eventually be sold

To the Hon. Jus. Blaw Judge of the Circuit Court for Isle of Wight County:

Your complainant Josiah H. Underwood guardian for Beatrice & Leonora Underwood of the county of Prince George and State of Virginia humbly complaining represents to your Honor,

That during the year 1873 your complainant who is the guardian and father of said Leonora and Beatrice Underwood infants under the age of fourteen years purchased of M. H. Watkins a lot of ground in the village of Windor and on the payment of the purchase price of said land on your complainant's request the said M. H. Watkins made a deed for said land to said Leonora and Beatrice Underwood, a copy of which deed is herewith filed marked "A" in the original Bill which is prayed to be read as a part of this amended bill -

That the purchase price of said land was wholly paid by said Josiah H. Underwood - that soon after said purchase this complainant Josiah H. Underwood erected several buildings on said land -

and having fully answered the said
respondents pray to be hence dis-
missed with their reasonable
costs in this behalf expended
and she will ever pray &c

A. P. Young Tan T at lit
for Honora & Beatrix Underwood

Underwood adv.
to. 3rd Feb. 1882.
Underwood info.

Infants Answer
Filed March 1882.
"

The joint and separate answer
of Leonora and Beatrice under
word infants under the age of
21 years by N. P. Young their
guardian ad litem assigned to
defend them in this suit to a bill
of Complaint exhibited against
them in the Circuit Court for
the County of Isle of Wight by
J. H. Underwood Jr. S.

The respondents reserving to
themselves the benefit of all just
exceptions to the said bill, for
answer thereto as much thereof
as they are advised it is mater-
ial they should answer, by their
said Guardian ad litem answers
and says:

That they are infants of tender
years and by reason of their infan-
cy are incapable of understanding
or taking taking care of their rights
and interests, they therefore by their
said guardian commends them-
selves and their rights and interests
to the protection of the Court and
prays that no decree may be so
pronounced that will tend to their prejudice

Leonora Underwood

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY--GREETING;

You are hereby commanded to summon *"Leonora & Beatrice Underwood"* infants under 21 years of age

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court, for our said County of Isle of Wight, at the Rules to be holden for the said Court, on the first Monday in *March* next, to answer *the Bill in Chancery of J. H. Underwood* guardian

And have then and there this writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at the office aforesaid, this *21st* day of *February* 18 *87*, in the *106th* year of our foundation.

acopy.

Test, N.P. Young cl.

N.P. Young Clerk.

Beatrix Underwood

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY--GREETING:

You are hereby commanded to summon *Leonora & Beatrice*
Underwood infants under 21 years of age

if *they* be found within your bailiwick, to appear at the Clerk's Office
of our Circuit Court, for our said County of Isle of Wight, at the Rules to be
holden for the said Court, on the first Monday in *March* next, to
answer *the Bill in chancery of J. S. Underwood*
guardian

And have then and there this writ. Witness, NATHANIEL P. YOUNG, Clerk of our
said Court, at the office aforesaid, this *21st* day of *February*, 18*87*,
in the *106th* year of our foundation.

a copy.

Test, N. P. Young clk.

N. P. Young Clerk.

J. H. Mendenhall
gov. t.

m. } Lues. D
 } ans. Bill

Leonora and
Beatrice Mendenhall
infants.

To March 25th
1882.

to S. Holland
for

Eighteen infants
& 2nd found
L. D. Edwards
Staff

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY--GREETING;

You are hereby commanded to summon *Leonora & Beatrice*
Underwood infants under the age of
21 years

if *they* be found within your bailiwick, to appear at the Clerk's Office
of our Circuit Court, for our said County of Isle of Wight, at the Rules to be
holden for the said Court, on the first Monday in *March* next, to
answer *the Bill in Chancery of J. H. Underwood*
Guardian

And have then and there this writ. Witness, NATHANIEL P. YOUNG, Clerk of our
said Court, at the office aforesaid, this *21st* day of *February* 188*7*,
in the *106th* year of our foundation.

N. P. Young Clerk.

Underwood gdr.
n. $\frac{3}{4}$ in clay.

Underwood's infancy

Depositions

Aug. 19th 1880
came to hand
under seal and
filed.

Test. A. D. Ymeyer

he has resided there or in its vicinity
all his life; that he is well acquainted
with the property mentioned in the
Bill, and that for the reasons given
by the witness M. S. Waltham, aforesaid,
in which he concurs fully, he is
decidedly of opinion that would
promote the interests of the said
land or lot to be sold.

And further this deponent saith not.

W. H. Powell

I J. P. Young, a Commissioner in Chancery
for the Circuit Court of Lab of High County,
do certify that the foregoing depositions
were taken and subscribed before me
on the day & at the place mentioned
in the caption.

Given under my hand this 18th
day of August, 1887.

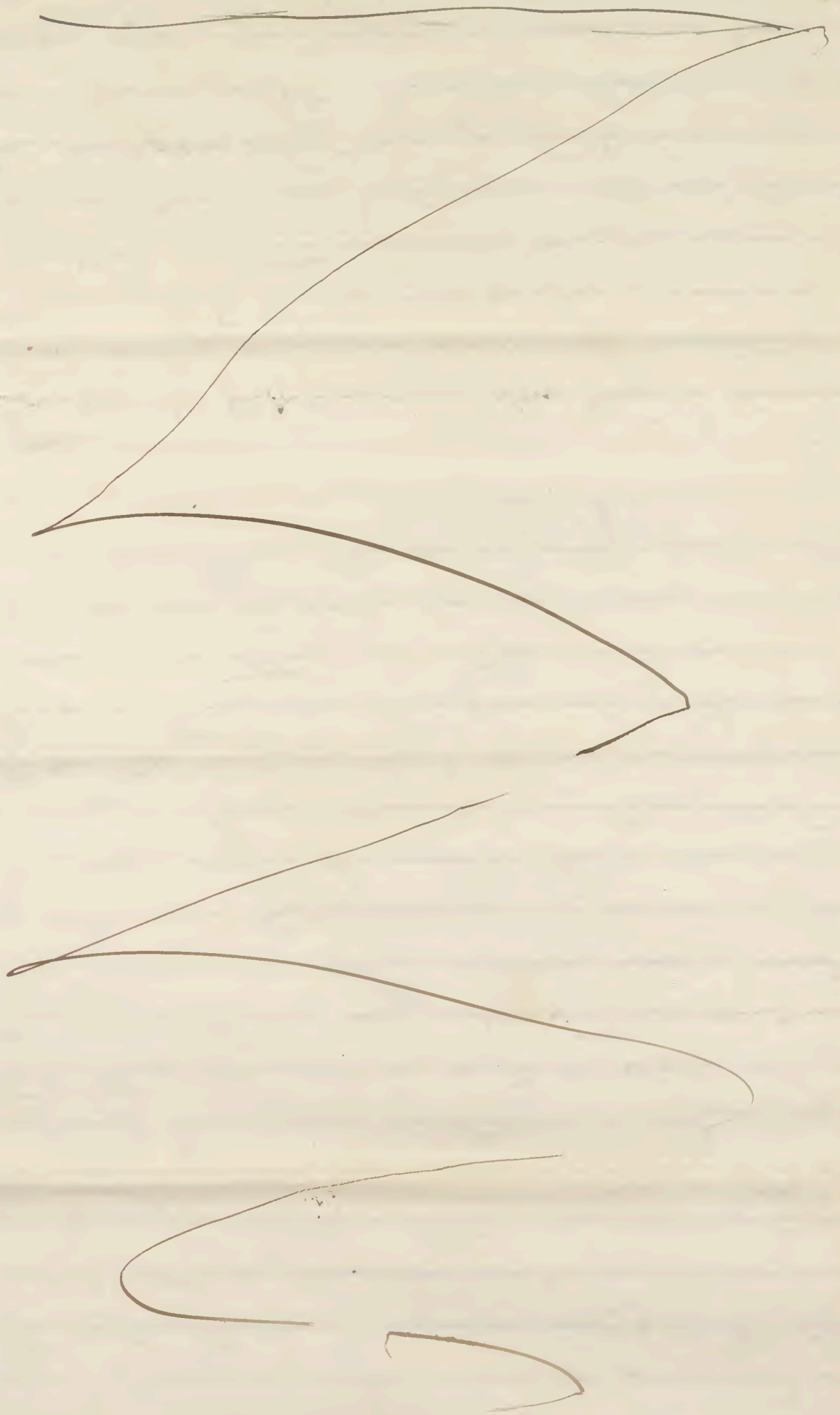
J. P. Young Comr.

Com. fee \$5.00

M. S. Waltham .50

W. H. Powell .50

\$6.00



said depreciation can be prevented.
The property worth now for only \$50.⁰⁰ and
unless repairs can be made on the property
it is quite certain that it will not meet
for that sum in a short time. The said
infants are now of that age which requires
that they should be sent to school, if
they are to have any education, and as
they have no other means, I am decidedly
of opinion that the money arising from
the sales will benefit them much
more by being expended on their education
than the lot or land can ever benefit
them. They are both females, & the land
will eventually have to be sold so it is
not susceptible of division in kind.
And further this deponent soeth not,
M. L. Watkins

The said William H. Powell being
first duly sworn, and the questions
propounded to the preceding certifying
Miles L. Watkins, and his answers
having been read to him the said Powell,
he deposes and says that his name
is William H. Powell; that he is 49
years of age, that he resides in St
Crawford in Isl of Wight County; that

said infants defendants, if so for what length of time, and what have been your opportunities for knowing said property?

Ans.

I am acquainted with said real estate, have known it for 25 years; have lived immediately in its vicinity all my life & have frequently been upon it.

Qs. 3.

Please state, if you can, whether the said infants own any other real estate than that mentioned in the Bill, and what you consider a fair value of the said real estate, and whether the said infants own any personal estate and if so of what does it consist?

Ans.

They own no other estate, either real or personal, that I am aware of. I consider the said real estate worth \$500.00 -

Qs. 4.

State whether or not you consider that the interests of the infants aforesaid, would be promoted by a sale of the said real estate, and if so, for what reasons?

Ans.

I am of the decided opinion that the interests of said infants would be promoted by a sale of said property, for the following reasons, The property is rapidly depreciating in value from the decay of the buildings, and the said infants have no means by which

The depositions of Mills L. Watkins,
William H. Powell &
taken at the office of William S. Holland
at Windsor in Isle of Wight county, before
H. P. Gony a commissioner in chancery
of the circuit court of said county, on
the 18th day of August, 1887, pursuant
to notice, to be read as evidence in favor
of the plaintiff, in a suit in chancery
pending in the said circuit court, wherein
Joseph H. Underwood ^{guardian} of Leonora Underwood
and Beatrice Underwood, infants, is plaintiff
and the said Beatrice and Leonora Underwood
infants aforesaid, and Joseph H. Underwood in
his own right, are defendants.

Present William S. Holland atty. for
the plaintiff, and the gdn. ad tutor
of the said infants, and the defendant
Joseph H. Underwood, in person.

The said Mills L. Watkins being first
duly sworn, deposes and says.

1. Qs.

What is your name & age and where
do you reside?

Ans.

Mills L. Watkins, aged 48 years residing
at Windsor Isle of Wight county.

2^d Qs.

Are you acquainted with the parties to
this suit and the real estate in the
Bill mentioned as the property of the

do certify, that the foregoing dep
ositions were duly taken, sub
scribed to before me at the
times and place therein mention
ed and were sworn to before
me. Given under my hand this
10th day of April 1883 A.D.
Bryce Roberts Notary

Cots-

4 hrs. for saty	\$3.00
3 witness	1.50

Jos. H. Underwood & Edw.

J. H. Underwood et al

depositions -

April 10th 1883.

examined and
found to be true and
correct.

Teste, J. P. [Signature]

1
Geo. M. Waddill being duly
sworn deposed and said -

1st Question by plaintiff's Counsel -

State your name, age, occupa-
tion, and residence -

Ans - George M. Waddill, Lawyer,
Windsor in the county of Ising-
wight, and forty four years old.

2nd Question by Plff's Counsel -

Are you acquainted with
the lands owned by Leonora & Beatrice
Underwood infants & wards left in
said, in the village of Windsor in
said county of Isingwight; if yes,
what has been your opportunities
for such acquaintance?

Ans - I am well acquainted with
the lands - I have resided in
the house on the premises for the last
four years.

3rd Question by same

What is your opinion of the
sale of said lands in reference to the
interests of said infants & wards, and
whether or not their interest would
be promoted by a sale of said
land, and your reasons for such
opinion?

(2)

Ans. I am of the opinion that the interest of the infants would be promoted by a sale of said property; because the property is depreciating in value - that for three years ending December 1881 I paid \$50 per year rent, last year I only paid \$30 - and now I regard the property as worthless - during last winter I was compelled to move my furniture from one part of the room to another to prevent being ruined by water leaking through - without repairs the house in a few months will be uninhabitable and in my opinion the property will sell to advantage now - better than after the expiration of years - the buildings are blocked up by wooden timbers and in a short time the out houses will fall to the ground from decay of said blocks -

4 question by some -

Say whether or not in your opinion a delay in the sale of said land would increase or diminish the value of the same and your reasons for thinking a delay would be detrimental to the interest of said infants?

Ans. I am of the opinion that a delay would be detrimental to the interest of said infants for the reasons stated in my answer to third question.

And further this deponent saith not.

Geo M Waddell

Mr L. Watkins being first duly sworn deposeth and saith:
1st question by Alfred Counsel.

State your name, age, residence and occupation -

Mr. L. Watkins, age 40 years
windsor in the said County of York
of right, Carpenter & Lumber dealer.
2nd question by same

Are you acquainted with the lands owned by Beatrix & Sonora Woodward ofts. in said suit in the village of Windsor in said County of York of right; if yes what has been your opportunities for such acquaintance?

Ans. I am acquainted and have been since they owned it. I have lived in the same village since long before any buildings were erected on said premises.

(4)

What is your opinion of the sale of said lands in reference to the interest of said infants & whether a sale of said lands would promote the interests of said infants?

Ans. I am decidedly of the opinion that a sale of said lands would be greatly to the interest of said infants because the property is rapidly depreciating and in my opinion the present is an opportune time for the sale of said property. I would state here that in my deposition in this case last year I stated that the property was only renting for \$50 per year. I have learned that I was laboring under a misapprehension that the \$50 per annum was for a previous year. I am satisfied that in a short time the out buildings will be on the ground and the dwelling uninhabitable unless repaired for three and four seasons hence given I am of opinion that said sale would be advantageous to the best interests of the infants.

And further this deponent said not.

M. J. D. Jones

1

4

A. M. Ely being duly sworn deposes as follows -

1st question by Plf.'s counsel

State your name, age, occupation and residence?

A. M. Ely, 32 years old, occupation a lumber dealer.

2 question by same.

Are you acquainted with the lands owned by Leonard & Beatrice Underwood aft. in said suit in the village of Windsor in said county of Sch. of Wiske, if yes, what has been your opportunities for such acquaintance?

Ans. I am well acquainted -

I have lived in sight of the property for the last ten years.

3 question by same

What is your opinion of the sale of said lands in reference to the interest of said infants & whether or not the interests of said interests infants would be promoted by a sale of said property and your reasons for such opinion?

Ans. I think a sale would promote the interests of said infants because the property is depreciating - the houses are rapidly going down.

(6)

and further this deponent said
not. A. H. Eley

Jos. H. Underwood being duly sworn
deposes as follows:
1st question by Rf. counsel.

State name, age residence,
and occupation.

Jos. H. Underwood, 59 yrs old,
residence House mound county
near Church Creek, Baals mill.

2nd question by same.

Say whether in your opinion a
sale duly of said land
would increase or diminish
the value of said land, and
your reasons for your opinion.

Ans- I duly would be detri-
mental to the interests of
my children - because the prop-
erty is going to wreck or ruin
and I have not got the
money to repair.

3rd question by same.

How did said infants come in
to possession of said land -
who paid the purchase money,
and why was the deed made
to said infants.

Ans- I bought it paid for it - & had
the deed made to these infants

I did not owe any money of any consequence at the time and ever since, I made the deed to these infant children because I then thought they were my best and not expecting to live long I thought these little infants needed special provisions - I now see that my course was unwise or imprudent

4th question of some

State whether said infants own any other property real or personal, if so how much.

Ans. They own no other property whatever.

5th question of some

State whether you or the mother of said infants are able to furnish means to educate these children in the elementary branches -

Ans. They are not.

And further this deponent saith not.

J. H. Henderson

Virginia

County of Isle of Wight, to wit:

I, Benj. C. Roberts a Notary Public in and for the said county in the said State

Depositions of Geo. W. Wad
dell, M. L. Watkins, & W. Ely, and
Jos. H. Underwood taken on inter
rogatories herewith filed and by con
sent before me Benj. C. Roberts
a Notary Public for the County of
Isle of Wight in the state of Virgini
a. at the office of W. S. Hall and
between the hours of 6 o'clock
P. M. and 11 o'clock P. M. on the
14th day of April 1885 A. D. to be
read as evidence in behalf of
the plaintiff in a certain suit
pending in the circuit court for
Isle of Wight County in which Jos. H.
Underwood adm. of Leonora & Be
atrice Underwood as plaintiff and
said Jos. H. Underwood and Leonora
& Beatrice Underwood are de
fendants.

Present Jos. H. Underwood adm. of
Beatrice and Leonora
Underwood & W. S. Hall
and counsel for said
Underwood -

Virginia

County of Isle of Wight, To-wit:

I, Benj. C. Roberts a Notary
Public for the County and state
of Virginia do hereby certify that

J. N. P. Young Guardian ad
litem of Beatrice Underwood
and Leonora Underwood in the
suit of Josiah H. Underwood Exr. vs
Jo. H. Underwood et al pending in
the Circuit Court of Isle of Wight
County, do hereby agree that the
following questions may be ask-
ed the witnesses whose depositions
are to be taken to be read in
said suit, it not being convenient
for me to be present at the taking
of the same.

1 What is your age, occupation
and residence?

2 Are you acquainted with the
lands owned by Leonora & Bea-
trice Underwood left in said
suit, in the village of Windsor
in said County of Isle of Wight; if
yes what has been your opportu-
nities for such acquaintance?

3 What is your opinion of the
sale of said lands in reference
to the interest of said infants &
wards, & whether or not their in-
terest would be promoted by
a sale of said land? And
your reasons for such opinion?

(2)

- 4 Say whether or not in your opinion a delay of the sale of said land would increase or diminish the value of said land, And your reasons for thinking a delay would be detrimental to the interest of said infants?
- 5 Say how the said infants come in possession of said land - who furnished the purchase price - and why was the deed made to said infants -
- 6 State whether said infants own any other property real or personal and if so, how much?
- 7 Is the father or mother of said infants able to furnish the means to educate in the elementary branches thereof?

Signed.

A. D. Young gov. ad interim for
the said infant defendants.

~~Wm. S. Holland~~

Wm. S. Holland

Wm. S. Holland

Wm. S. Holland

\$3.98

W. S. Holland

Recd payment
By W. S. Holland
Y. S. Butler
Dep. Secy

Joshua H. Underwood adm. of Anna Beatrice his child &
to the Clerk of the Court of Right Sec. Let.

1882	20. Sum. in ch. of Underwood. 25 - outgo. 18 - atts. 10 -	33
1882	Ship bill light. 40 - outgo. (att. 35) - R. for self. 30 -	3
	Atts. for outgo. 10 - R. for them. 50 - plus out. 15 - upl. 13	2 15
1882	Rule. 50 - Do ch. Suit. 18	68
	Sum. 1 file and bill - make income copy	50
		\$ 3 92

W. P. Young Clerk.

ELIAS NOTTOTA

2. 70

M. E. Kitchen
By

Jos. H. Underwood
\$460

M. Eley & Co.

M. E. Eley

M. E. Eley

M. E. Eley

M. E. Eley

QVALLIOH S. V. 10

50

5

2

28.20

93.20

AUCTION SALE **OF A** **HOUSE AND LOT IN WINDSOR.**

Pursuant to the terms of a decree of the Circuit Court for Isle of Wight County, made and entered on the 20th day of April, 1882, in a certain cause—Joseph H. Underwood, guardian, &c., vs. Joseph H. Underwood, Beatrice and Leonora Underwood, et als.—in said Court pending, I shall offer for sale at public auction, before the Court-house door, on

Monday, July 2d, 1883,

(it being Court day), that

LOT IN WINDSOR,

mentioned in said suit, on which Major George M. Waddill now resides. It is a large lot in the most desirable part of Windsor, fronting two leading county roads, and with very slight repair the dwelling is excellent, and the outbuildings, consisting of barn, stalls, and carriage-house, are very convenient; besides, on one corner there is a splendid one-story house which, with a little work, can be made a good tenement house, and would rent well.

TERMS:

Cash, a sum sufficient to pay costs of suit and expenses of sale, the rest in two equal installments six and twelve months after date, with interest from date, bond and personal security required of purchaser, title retained till last payment or further order of Court

W. S. HOLLAND,

SPECIAL COMMISSIONER.

A. M. ELEY, CRIER.

May 28th, 1883.

AUCTION SALE OF A HOUSE AND LOT IN WINDSOR.

Pursuant to the terms of a decree of the Circuit Court for Isle of Wight County, made and entered on the 20th day of April, 1882, in a certain cause—Joseph H. Underwood, guardian, &c., vs. Joseph H. Underwood, Beatrice and Leonora Underwood, et als.—in said Court pending, I shall offer for sale at public auction, before the Court-house door, on

Monday, July 2d, 1883,

(it being Court day), that

LOT IN WINDSOR,

mentioned in said suit, on which Major George M. Waddill now resides. It is a large lot in the most desirable part of Windsor, fronting two leading county roads, and with very slight repair the dwelling is excellent, and the outbuildings, consisting of barn, stalls, and carriage-house, are very convenient; besides, on one corner there is a splendid one-story house which, with a little work, can be made a good tenement house, and would rent well.

TERMS:

Cash, a sum sufficient to pay costs of suit and expenses of sale, the rest in two equal installments six and twelve months after date, with interest from date, bond and personal security required of purchaser, title retained till last payment or further order of Court

W. S. HOLLAND,

SPECIAL COMMISSIONER.

A. M. ELEY, CRIER.

May 28th, 1883.

- 68 Johnson vs Outland - Nothing
 69 Eley vs Mosman "
 70 Barnes & Rowles vs Vaughan "
 74 Carr vs Serden decree - A.P.G.
 77 Sping vs Sping nothing
 83 Bowden vs Joyner & deane A.P.G.
 87 Underwood son vs Underwood decree A.P.G.
 89 Hines vs. Watkins Sis miss
 92 Bobb vs Bobb Sis miss for self -
 98 Johnson N.P. vs Arline - Give to answer

deliv the the above marked with
 my initials to Mr. Hollowed
 J. H. Grayce

Say for the fees as clerk, & counsel in this case
may be considered as paid if not paid I will
only on W.S. Holland's account to pay the
J.P. Young & Co.

upon his duties as counsel. aforesaid
enter into a bond in the quality
of one thousand dollars before the
Clerk of this Court with approved
security, conditioned for the
faithful performance of his duties
required by this or any subsequent
decree in this cause.

Accep.

Atto. fees printing \$41.50

Teste, J.P. Young clerk

Atto. fees to appt. 7.19

Clerk. Young Report. 5.00

Bot. up. \$58.19

Notary Roberts 3.00

G. M. Waddell att. .50

M. L. Watkins att. 1.00

C. M. Day. " .50

W. H. Powell " .50

Costs to appt. \$59.19

Comid up \$58.19

et. 1880.

Underwood's gift.

to. 3 in above

Underwood's gift

Copy dec. of gk. et.
1880. for sale to

"

W.S. Holland's case

Receipt of W.S. Holland, Comr. the above omits
costs in this suit omits annexed to our names

A. H. Eley (Crier)

\$5.50

M. L. Watkins

1.00

~~G. M. Waddell~~

.50

~~W. H. Powell~~

.50

Bry. G. Roberts

3.00

In the Circuit Court of the County of Wright
County; April 20th 1883.

J. H. Studenrod & son -

Plffs.

vs. } In Chy.

Leonora + Beatrice Studenrod - Defts.

This cause came on this day to be again
heard on the original and amended
bills filed answers of guardian
ad litem general application, dis-
positions filed and was argued by
counsel - on consideration whereof
the court doth order adjudge &
decree that W. S. Holland who is
hereby appointed a Commissioner
for that purpose proceeds to sell
the lands in these proceedings
mentioned on the following terms,
cash a sum sufficient to pay costs
of suit and expenses of sale inclu-
ding a fee of twenty-five dollars
in addition to the payable fee to
W. S. Holland attorney in this cause.
The rest in two equal installments
in six months from date
with interest from date with bond
and personal security taken from
the purchaser, the title retained
until further order of court. That
the said W. S. Holland before entering

Appriated as follows:

Appriated to own use for Cox.	\$ 41.50
Reid N. P. Young as per voucher	12.19
" Nately Robts.	3.00
" Watkins witness	1.00
" Rowell "	.50
" Geo. M. Waddles "	.50
" A. M. Gily Esq. wit.	5.50
" Herald Job. Office for printing advertisements	2.00
" Self comm. on \$860.	26.20
Total	\$92.39

as per vouchers herewith filed.

And for the two defensed payment
the said M. E. Kitchen executed
her bonds with Jos. H. Underwood
as surety which your Commission
deemed sufficient, which said bonds
are herewith filed. All which
is respectfully submitted.

20. Oct 1893.

W. S. Holland

Com^r

Under com

253

Underwoods infants

Com^r Defendant

To the Hon. Geo. Blaw, Jr. Secy of the Circuit Court for Isle of Wight County

The undersigned your special commissioner appointed by a decree ^{the suit of} in ^{vs.} Geo. H. Underwood ^{vs.} Leonard Beatrice Underwood in fault at the April term 1883 of this Court, to sell the lands in the proceedings mentioned begs leave to submit the following report:

That on the second day of July, it being Court day, your Commissioner after advertising as required by said decree, a copy of notice herewith filed, offered the lot in question in said proceedings mentioned for sale at public auction to the highest bidder on the terms and conditions in said decree

a copy of which is herewith filed asked to be read as a part of this report, at which sale Mrs. M. E. Kitchen became the highest bidder for the sum of eight hundred and sixty dollars (\$860) and said land was put down to the said M. E. Kitchen. who paid for costs in cash

for costs in cash	\$92.39
And giving two bonds each \$383.81	\$767.62
(Making in all) aggregate	\$860.00

The said sum of \$92.39 your Commissioner

Isiah H. McQuinn
No

W. L. Hollow Sp. Can

Receipt for
\$788. $\frac{5-0}{100}$

Received of W.T. Hall and special
Commissioner in Judicial H. Underwood
vs. Underwood in fact et al. This
5th day of July 1884 A.D. the sum of
seven hundred ^{eighty eight dollars,} and fifty cents
this being the principal and inter-
est due by M. E. Kitchen on two
bonds dated 2 July 1883 A.D. respec-
tively each for the sum of three hundred
and eighty three dollars and 81 cents
except the sum of six dollars retained
by said W.T. Hall and to pay for draw-
ing and acknowledging deed, and
the said Judicial H. Underwood hereby
promises and binds himself to pay
all legal cost incurred in said
suit which has or may hereafter
accrue now and except the
sum of \$92.3 $\frac{1}{100}$ and six dollars.

Witness my hand & seal this
5th day of July 1884

J. Underwood
Gov. of Texas & Justice of the Peace
J. Underwood

Witness -

M. E. Kitchen

Underwood son
80 3/4 In Cherry -
Underwood infus.

7-2-1884

Report of Col. H. H. H. H.
Filed 9th Febr. 1884.

=

Underwood son
80 3/4 In Cherry -
Underwood infus.

W. J. H. H.

W. J. H. H.

To the Hon. Res. Blaw Judge of
the Circuit Court for Dist. of Wight County.

The undersigned special const.
Underwood Jdn. vs. Underwood et al in
pursuance to the requirements of a
decree entered 24 Oct. 1883 herewith
filed and asked to be read as a
part of this report, begs leave to
make the following report to court:

on the 6th day of July 1884
M. E. Kitchen so electing and deering
paid both bonds of \$383.81 each, dated
2 July 1883 for lands in said decree
mentioned and referred to with
interest to date amounting to
seven hundred and sixty four dollars
and fifty cents (\$794.50)

of which sum ~~the~~ your Court de-
clared five dollars for drawing deed
and one dollar for drawing same and
paid the balance of seven hundred
and eighty eight dollars & fifty cents (\$788.50)
to Josiah H. Underwood Jdn. of Tarrant
& Beatrice Underwood as by said
decree directed and made his
deed with special warranty to said
M. E. Kitchen. The said Josiah H.

Underwood first qualifying in co-
rt as just. of said infants in a

A Rules heard in the Clerk's office
of Esch of Wayne County on the 6th day
of March 1882.

J. H. Underwood, Respondent. Alts...

Against J. H. Underwood

Louisa and Beatrix Underwood in
faints under the age of 21 years Alts-

On Motion of J. H. Underwood, Com-
plainant by Counsel N. P. Young
assigned Guardian to the said
infants to defend them in this
suit.

Underwood J. H.
vs $\frac{1}{2}$ in chancery
L & B. Underwood

de cur

To be entered

J. H. Underwood

Pltf.

vs 3 In Chancery

Leonora & Beatrice Underwood,

infants under 21 yrs. old - dfts.

This cause came on this day to be heard on the bill of complaint and on the answer of the defendants by N. P. Young their guardian ad litem and a general replication and was argued by counsel on consideration whereof the court doth order a decree and decree that W. S. Rowlee, Geo. W. Waddell, Dr. Geo. R. Jordan, A. M. Eley and M. S. Watkins ^{any two of whom may act} be and they are hereby appointed commissioners to view the lot in ^{these} proceedings mentioned and and report to court: 1st Whether a sale of the said property would be advantageous to said infant defendants with their recovers - 2nd Any testimony which they may deem expedient to take or any party may require to be taken - 3rd The value of said property -

Under wood got -
25.5 In Cherry
Leonard & Butcher
wood

Dear

April 1882

To be entered -

Jo. S. Underwood Jr. -

W. S. In Chancery

Leonora & Beatrice Underwood infants -

This cause came on this day to be heard on the bill of complaint, answer of infant defendants by N. P. Young their guardian ad litem, a general replication thereto and was argued by counsel on consideration whereof the court doth adjudge, order and decree that N. P. Young a Master Comr. of this Court, shall make & report to court an account of the value annual and perquisite of the land in then proceedings mentioned also take ~~depos~~ examine on oath any witnesses as to the expediency of a sale of said land, whether or not the interests of said infants demanded such a sale and such other testimony as he may deem proper or that any party may require to be found - and report in writing to court -

J. H. Underwood & Co
113 1/2 In the city
L & B Underwood

Order

April Term 1882

Geo. B. Shaw.

~~Excluded 59~~

Excluded 59

Jos. H. Woodward Jr. (Infant)
vs. L. C. Chancy - Leonora + Beatrice
L. + B. Woodward infants

This case came on
this day to be heard and on
motion of the plaintiff he is
granted leave to file an amended
~~and answer~~ bill and to take
depositions in support of the
same

J. H. Madison J. get
vs

Unan. 1000 1000

de em

To the entire

Geo. Rogers.
—

Entered # 29

Josiah H. Underwood. John H. C.

20

Underwood H. C.

This comes from
This day to be again heard on the
papers formerly read and on the
report of W. S. Hall and Special Com-
missioners and was agreed by coun-
sel on consideration of the
dock order and the order
that said report be and the same
is hereby ratified and confirmed.
and then appearing nothing further
to be done it is ordered that
this cause be removed from the
docket and said Josiah H. Under
wood pay the unpaid cost in
this suit.

Josiah H. Underwood
vs { In chancery
Leonora & Beatrice Underwood

Jnty. decree of
Term 1857.

L. A. Underwood, Guardian &c. 18th-

vs J. M. Loney

Ex parte & Estate Underwood 18th-

This cause came on this day to be heard on the bill taken for Compromise and exhibits filed and answers of infant defendants by their Guardian ad litem J. S. Young and general replication thereto and was argued by counsel on consideration whereof the Court doth order, adjudge And decree that

1st who are hereby appointed Commissioners whose duty it shall be 1st to view said lot and report its condition & such other facts as may tend to show the necessity of its sale 2nd to take testimony showing the necessity of a sale of said property and make report to Court

3rd to make and report such other inquiries as they may deem important or that any of the parties may require.

J.H. Underwood Esq &c.
W. E. Beam
Beatsville & Landon, Tenn

Oct, 20th 1882

To be entered

in addition to the Taxable fee
to W.S. Holland as attorney in
this suit, the rest in two equal
installments payable in six and
twelve months a bond with
good personal security to
be taken from purchaser and
title retained till further order
of this court. And said W.S.
Holland before entering upon the
duties herein before mentioned
shall make and execute with
good security before the Clerk
of this Court a bond payable
to the Commonwealth of Virginia
in the penalty of one thousand
dollars conditioned for the faith-
ful performance of the
duties herein required & duties
required in any subsequent
decree in this case made,

J. H. Underwood Guardian for Beatrix
and Leonora Underwood, Plffs -
vs {
} Beatrix Underwood and Leonora
Underwood Dfts -

This cause come on this day
to be again heard on the papers formerly
read, on the amended bill of Com-
plaint, Answer of infant defendants
by the Guardian ad litem N. P. Young
depositions filed and exhibits, and
was argued by counsel: on
consideration ~~where~~ the court doth
adjudge order and decree
that W. S. Holland who is hereby
appointed a commissioner for
that purpose after advertising
by printed hand bills for thirty
days proceed to sell at public
auction at Windsor in the County
of Isle of Wight on the premises the
lands in these proceedings men-
tioned on the following terms
and conditions:

Cost a sum sufficient to
pay costs of suit and expenses
of sale including a sum of £10

Jos. H. Underwood Adm
253 1/2 In Chancery
Jos. H. Underwood et al

April 20th 1883

To be entered

Geo. Blow

Entered No 2

missioner oforsaid enter into a
bond ~~for~~ in the penalty of \$1000
before the clerk of this court with
approved security conditioned
for the faithful performance of
his duties required by this and
any subsequent decree in this
cause

Jos. H. Underwood ~~Adm~~ vs Pltf -
vs.

Jos. H. Underwood et al Defts

This cause came on this day to be again heard on the original and amended bill filed, Answer of guardian ad litem, general replication, depositions filed and was argued by counsel, on consideration whereof the court doth order a Judge and decree that W.S. Halland who is hereby appointed a commissioner for that purpose proceed to sell the lands in these proceedings mentioned on the following terms: cash a sum sufficient to pay costs of suit and expenses of sale including a fee of \$25. in addition to the taxable fee to W.S. Halland atty. in this cause, the rest in two equal installments in six and twelve months from date with interest from date with bond and personal security retained from the purchaser, title retained till further order of court -

That the said W.S. Halland before entering upon his duties as com

Mendenood ^{Idine}
v¹⁵ { In Chaney
Mendenood, infants

Idine

Oct, 24th 1883

To be entered

Geo. T. Blow,

Entered No. 28.

J. H. Underwood Richm

vs.

Levora & Beatrix Underwood infants

This case come on
this day to be again heard on the papers
formerly read and on the report of
W. S. Holland, Special Commr, and was
argued by counsel, in consideration the
court doth hereby confirm said report
and doth order adjudge and decree
that the clerk of this court deliver to
W. S. Holland Special Commissioner the bonds
of M. E. Kitchen, and the said W. S.
Holland is hereby ordered to collect
the same or each falls due or comes
if the maker so elects, and pay the
same to Josiah H. Underwood
guardian of Beatrix and Leora
Underwood provided said Under
wood shall first execute a new
bond before the County court in the
penalty of one thousand dollars with
approved security. And the said
W. S. Holland is hereby ordered that
in case said M. E. Kitchen elects to
pay both said bonds, to make and
execute a good and sufficient deed
for said lands in said report men
tioned, and make report to court.

In der wood garden
no {

In der wood's in garden

Apr. 1887

Diary

To be entered
C. W. Hill

Entered
No. 29

Underwood guardian &c

rs
3

Underwood infants

This cause came on this day to be again heard and on motion of the plaintiff by his counsel it ^{is} ordered that this cause be removed from the docket. Leave is hereby given to any party to restore this cause on the docket within twelve months.

Attest.

Meredith H. Watkinson
wife —

To } Leed

Leonora + Beatrice
Underwood.

— Jan'y 6th 1873, Recd
& admitted to record
upon the annexed
certificate &c —,

"A"

Recorded Seedbook
No 42 page 467.

Tax paid \$1.00

C. H. Hart, D^o

State of Virginia
County of Isle of Wight. In wt.

We Thomas R Jenkins and B. C. Roberts Justices of
The peace in for said County State of Virginia do certify
That M. H. Watkins a party to the foregoing deed bear-
ing date the 24th day of December 1871 has acknowledged
the same to be his act and deed. We do further certify
That Virginia C. Watkins the wife of said M. H. Watkins
whose name is signed to the writing hereto annexed
bearing date as aforesaid, personally appeared before
us in our County, aforesaid, and being examined
by us, privily and apart from her husband and having
the writing aforesaid fully explained to her, she the
said Virginia C. Watkins, acknowledged the said
writing to be her act, and declared that she had
willingly executed the same and does not wish
to retract it. Given under our hands this the
13th day of March 1872.

Thos R. Jenkins J.P.
Benja. C. Roberts J.P.

Virginia
On the Clerk's Office of Isle of Wight County
Court, January the 6th 1873, this Deed
from Meredith H. Watkins wife to Leonora
and Beatrice Underwood, was received
and admitted to record upon the annexed
Certificate of Thos. R. Jenkins & Benja. C.
Roberts Justices of the peace of Isle of
Wight County, the requisite United
States Revenue Stamp of fifty cents
being affixed hereto & cancelled,
Teste

Edw. Hart D.C.
(for R. D. Farnham C.K.)



This deed made this 24th day of December 1871
between Mr. H. Watkins & Virginia, C. his wife of the
first part and Leonora & Beatrice Underwood of the
second part Witnesseth that for and in consideration
of the sum of sixty two dollars & sixty three cents
The Parties of the first part do grant bargain & sell to
Parties of second part a certain lot of Land near
Windsor Station in the County of Isle of Wight - &
State of Virginia and containing Six tenths (6x) of an
acre and bounded as follows Commencing at the fork
of the ditch near the house known as the old Store
and runs two Hundred & eight feet down the ditch nearly
parallel with the Rail Road & runs then in a northerly direc-
tion one hundred & six feet & then in an easterly direction
one hundred & seventy six feet to the Road leading
from Windsor to Isle of Wight Court House, and then
down the said Road towards Windsor two Hundred &
thirty one feet to the beginning The Parties of the first
part covenants that they have the Right to convey
the property above named and will and do warrant
generally the title to the same Witness the follo-
wing signatures and seals the day month & year
just above written.

Mr Watkins (Seal)
Virginia C Watkins (Seal)

J. H. Underwood
Edw. ord. to
give new bond
to same given to

In the County Court of Isle of Wight
County, the 4th day of Febr'y 1884.

The Court having ascertained that the pen-
alty of the bond heretofore given by
Josiah H. Underwood is insufficient, it is
ordered that he execute a new bond, as
guardian of his children, Lenora and
Beatrice Underwood, in the penalty of
One Thousand dollars. And thereupon
the said J. H. Underwood, waiving notice,
together with Mary E. Kitchen his security,
who justified, entered into and acknow-
ledged such new bond in the penalty
of One Thousand Dollars, with conditions
according to law. Which bond is ordered
to be recorded.

Copy,

Teste,

A. D. Young Clk.

Underwood Gan

Vd } Bond
Bonds

Leonora + Beatrice Underwood

Know all Men by these Presents, That we William S. Holland
Mayor and Benjamin C. Roberts to security
are held and firmly bound unto the Commonwealth of Virginia in the sum of One
Thousand Dollars to the payment whereof, well and truly to
be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and
severally, firmly by these presents. As witness our Hands and Seals, this 30th day
of May in the year of our Lord, one thousand eight hundred and
Eighty Three. And we waive the Homestead exemption as to this obligation.

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 20th day of April
1883, in a cause depending in the said Court, in which J. H. Underwood
Gov of Leonora & Beatrice Underwood
is Plaintiff and
said Leonora & Beatrice Underwood
are Defendant, the above bound W. S. Holland
was appointed a special Commissioner to sell the real Estate
or land in the proceedings of said suit mentioned, and to
pay out costs and expenses &c. Take bonds and make
reports to Court &c.

Now, if the above bound W. S. Holland shall faithfully discharge
his duties as Commissioner under the said Decree, or any future Decree in said
cause, then the above Obligation to be void, otherwise to remain in full force and vir-
tue.

Signed, Sealed and Delivered }
in the presence of }

W. S. Holland (SEAL.)

Ben C. Roberts (SEAL.)

(SEAL.)

Phillips & Carter, Printers.

In the Clerk's office of the Circuit Court of Isle of Wight
County the 30th day of May 1883. This bond was executed,
and acknowledged by the obligors, and admitted to record
Lest

W. P. Young, clk.

in der wood

vs.

made wood yards

Residence

Date

Am't

\$

Salient Points

the papers in
course

IF NOT CALLED FOR IN TEN DAYS RETURN TO
W. S. HOLLAND.
ATTORNEY AT LAW,
WINDSOR,
ISLE OF WIGHT, COUNTY VA.