

1888-004

Isle of Wight County

Chancery Causes: William E. Vellines, Burton H. Vellines & Marsden J. Vellines
vs Richard H. Latimer & ux & al
Petition of Marsden J. Vellines

Folder 1

other surnames: Gwaltney,
Latimore, Hart, Womble,
Pully, Edwards, Witley,
Boykin, Lawrence, Roberts,
Jordan, Pulley, Stagg,

To the honorable George Blinn
Judge of the Circuit Court of Isle
of Wight County Virginia.

Humbly complaining, ^{show}
-th unto your honor, your complain-
-ants W. E. Villiers, Benton H. Villiers
and Marsden J. Villiers, that Martha
A. Villiers, late of the county of
Isle of Wight Va. was in her life-
time seized and possessed of cer-
-tain real estate lying in the
county aforesaid, in three miles
of the City of said county, con-
-taining seventy acres and adjoin-
-ing the lands of E. P. Womble, R.
H. Pullay & others and being so then
-of seized ~~and~~ and possessed, some
time in the year 1879 departed
this life, intestate, leaving the
following named children and heirs
at law. your complainants, W. E.
Villiers Benton H. Villiers and
Marsden J. Villiers; and Sallie A.
Lattimore, the wife of R. H. Lattimore,
Mary E. Swattney, the wife of
Geo. R. Swattney, Abraham R. Vil-
-liers and the following grand chi-
-ldren, Geo. J. Villiers, & Martha J.

^{infant under twenty one years of age}
Villines, who are children of
Thomas Villines, decd. who was
a son of Martha A Villines
decd, and your complainants
further state that the said real
estate is as they believe susceptible
of partition amongst the parties
entitled thereto, but if it be not,
then your complainants desire
the same to be sold and the pro-
ceeds distributed amongst the par-
ties in proportion to their inter-
est therein.

In tender consideration where-
of, and for as much as your com-
plainants are unable in the
premises, save by the ~~said~~ aid
of a court of Equity, where matters
of the kind are alone and properly
cognizable, your complainants
pray that the said Richd H Latimore
and Sallie A his wife (^{who was} ~~late~~ Sallie A Vill-
ines) Mrs R Swallow and Mary E
his wife (~~late Mary~~ who was Mary
E Villines, Abram R Villines &
Annie A his wife Geo. J. Villines
and Martha J Villines; the last an
infant under twenty one years of age

be made parties defendants to this bill and required on their oaths to answer the same, according to the best of their knowledge, remembrance, information and belief, as fully and particularly as if the statements of this bill were here again reported and the said defendants there to specially interrogated; that a proper guardian ad litem be assigned the infant defendant to defend her interest in this suit, that the said real estate be divided between the parties ~~as a said~~ aforementioned, entitled thereto, and your complainant's portion thereof allotted to them and in case the said real estate be indivisible in kind, that the same be exposed to sale and the proceeds thereof be distributed among the parties entitled to the ~~same~~ ^{to}.

That proper process may issue, and that such other and further and general relief may be afforded your complainant as the nature of the case may require or to equity shall seem meet, and your complainant will so ~~peray~~ &
Wm Waddell P. G.

Vellius et al.

Bill
vs.

Saturnus et al.

March 1882

Bill for sum up.

de cur. sum. n.
adult defts. Gov.
admission offrs. the
infant & Hurans
filed.

Apr. Res. Bill taken
for confd. as to adult
defts. & set for hearing.

Apr. Ct. de. for portn.

Apr. 1883. de. confd.
rept. & for con. & c

Octo: 1884. Order is
to be heard in vacat.

Apr. 1885: De. for all to

Apr. 1886. Rept. unfiled
& de for Sale of land

Apr. 1887

de Confug. repts. & the matter dead, & for accels.

April term 1888.

de cur. confug. repts. & for distibn.

//

Oct. term 1888

de cur. confg. repts. & Final De.

+ as value the above said land at \$10000-
and the allotment of the same at the
valuation to W. E. & A. R. Vellines

9 That the said Wm E. & A. R. Vellines for sev-
eral years after the death of their mother lived
at and on the said farm without paying any
rent to their ^{and my} father or to any one else and after
his death they have continued to live there
without paying any rent, or any sum for use
and occupation to any one.

Wherefore your petitioner prays that the
~~so much of~~ ~~of the decree of April Term 1882~~, the
affidavit report of R. H. Pully and others
~~made~~ ~~submitted~~ filed January 18th 1883
and the aforesaid decree of April Term 1883

~~may each and all be annulled and set~~
aside: ^{that the said land may be sold at public auction} ~~that an~~ account may be
taken of any debts that may be due by the
said Martha A. Vellines, & of the fair value
and an equal value of the said & afore-
said tract of land: that the said Wm E.

and A. R. Vellines may be charged with
the fair market value of the said Tract of land
for the time they used it - during the life
-time of their father & the father of your peti-
tioner and for the time that they have used
and occupied it - since and that he may
have all such other and further relief that
the nature of his case may require
in Equity shall seem meet. And he
will ever pray &c

Martha A. Vellines

Virginia

City of Norfolk to-wit

J. Geo Mc Intosh

A Notary public for the city of Norfolk
in the State of Virginia do certify that
Maurice J. Wellies whose name is
signed to the foregoing petition this day ap-
peared before me in my city aforesaid &
made oath that the statements made
in the said petition are, so far as they
are made in his own knowledge true
and correct, and are so far as they are
made on the knowledge & information
of others he believes them to be correct.
Given under my hand this 9th day
of October A. D. 1883

Geo Mc Intosh

N. P.

Vellings et al
v
Latimer et al

Petition of
M. J. Vellings.

april 20 1883.
Filed

Vellins et-al

v

Latimer & wife et-al.

To the Honorable George Blinn

Judge of the Circuit Court of Dec

of Wright County in Chancery sit-
ting.

The Petition of Mansden J. Vellins
respectfully shews to the Court-

1 That at March term 1882 there was
filed in your Court a Bill purporting
to be the Bill of William E. Vellins
Benton H. Vellins and your petitioner
Mansden J. Vellins against Richard
H. Latimer and Sarah H. his wife ^{formerly Vellins}, John
R. Swallow and Mary E. his wife who
was Mary E. Vellins, Abram R. Vellins
and Anne E. his wife George J. Vellins
and Martha J. ~~Latimer~~ Vellins which al-
leges that Martha H. Vellins was in
her life time seized and possessed of
considerable real estate lying in the County
of Dec of Wright within the miles of the
C. H. Contamin being acres and
adjoining the lands of E. P. Wemble
R. H. Pully & others: that she died in the
year 1879 intestate leaving the following
named children and heirs at-law, viz, W.
E. Vellins, Benton H. Vellins & Mansden J.
Vellins.

Sarah A. Latimer, the wife of R. L. Latimer
Mary E. Swaeney, the wife of J. W. R.
Swaeney, & Abram R. Vellies, and the
following grand children, George F. Vel-
lies and Martha F. Vellies infants
under 21 years of age who are the chil-
dren of Thomas Vellies deceased: "that the
estate was susceptible of partition ~~among~~
amongst the parties entitled thereto and that
if it was not that they desired the same
to be sold and the proceeds distributed amongst
the parties entitled in proportion to their
interest."

- 2 That as the said June 1882 of this hon-
orable Court this Court ordered and de-
creed that L. H. Hart, W. A. Womack, R. H.
Pully, A. J. Edwards and John P. Whitney (or
any three of them acting) should lay off
and divide the said real estate "into seven
equal parts and one of the said parts into
two equal parts" so that George F. Vellies
and Martha F. his sister should take be-
tween them the share of their father, Thomas
Vellies deceased, but if they should find
it impracticable to divide the said land
amongst the parties aforesaid "or if no
one of them would take it at the valuation
or should be of opinion that the interest
of the parties would be promoted by a sale
of the same then to report the facts upon
which their opinions are based and also
the full simple value of the said real estate

3 That under and by virtue of this decree
R. H. Puley, A. J. Edwards, Geo. F. Whitley
and G. H. Hunt - four of the commis-
sioners of partition as aforesaid filed
their report in this cause on the 15th
of January 1883 alleging that the
said tract of land can not be divided
without great injury to it & to the parties;
that it is thoroughly impracticable to
do so: that they have valued the land
at \$1000 - " and that they have assigned
and allotted the said land to Wm. E. Vel-
lmes and A. R. Vellmes jointly, they agree-
ing to take the same at the valuation
we have placed upon it and pay to the other
parties the sums to which they may be en-
titled subject to the approval of the Court."

4. That on this report the Court at the
April Term 1883 directed R. E. Boylston
as special commissioner to collect
the said thousand dollars of the said W.
E. & A. R. Vellmes less $\frac{3}{7}$ to which they
were under the readings entitled, and
to pay over the same to the parties en-
titled thereby paying the admet parties
their shares and paying the shares of the
infants to their guardians, and in receiv-
ing full payment of the said ~~A. J. W. E.~~ W. E.
and A. R. Vellmes to make them a good
& sufficient deed in fee - simple. &c."

5 That some months after April 1883
to wit in the month of September

your petitioner was informed by the said R. E. Boykin special commissioner that there ought to have been some money in his hands for him your petitioner but that he had not collected of W. R. and A. R. Vellins the money due under the decree then because he had ascertained that there were some debts that ought first to be paid

- 6 This was the first information that your petitioner had of the pendency of this suit - that was not brought by the said R. E. Boykin but by another attorney at law. The information was a genuine surprise to your petitioner, who never authorized the said - never gave any one permission to use his name as either plaintiff or defendant and never knew until recently that it was, or had been used by any one as plaintiff to partition or to sell the said and aforesaid land of his mother
- 7 That he believes that there are more than seventy acres in the said tract of land and that it is worth more than one thousand dollars: that parties have come to your petitioner and have said that they would give more than that for it
- 8 That John R. Swaeney and R. H. Latimer are both dissatisfied with the valuation placed on the said land and the allotment to the said W. R. & A. R. Vellins.

To the Honorable Geo. Blount Judge
of the Circuit Court of Isle of Wight
Co. Va

The Answer of Martha Y.
Villines, infant under the age of
twenty one years by her guardian
ad litem, N. P. Young, appointed
to defend her to the bill in Chancery
filed in the said court, against
her and others, by W. C. Villines,
Benton H. Villines, & Masden J.
Villines.

This defendant by her said
guardian ad litem for answer to
the said Bill answers and says
that she is an infant under the
age of twenty one years, that she
neither ~~admits~~ nor denies the
several allegations in the said Bill,
and being an infant, submits her
interest to the protection of the
Honor. Court and prays that such
orders and ~~directions~~ ^{decrees} may be made
in this cause as will protect and
promote the same & that equity
may require &c

N. P. Young *att*
Adm. ad litem

Tellus 805

V } in Chy

Laluna 805

Infants Answer

THE COMMONWEALTH OF VIRGINIA,

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

You are hereby commanded to summon *Richard H. Vellius and Sallie A. his wife who was Sallie A. Vellius; John R. Gussler and Mary E. his wife, who was Mary E. Vellius; Abraham R. Vellius and Amin A. his wife; George T. Vellius and Martha T. Vellius. the last an infant 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 William E. Vellius, Benton H. Vellius and Marsden J. Vellius*

And have then and there this writ. Witness, **NATHANIEL P. YOUNG**, Clerk of our said Court, at the office aforesaid, this *27th* day of *February* 18*87*, in the *56th* year of our foundation.

N. P. Young Clerk.

It ended by welcoming to the western lands D. A.
Admiral Dabie a his wife and Dr. Knapton and
Mary D. his wife and a. line copy of the western
American Hotel. 28th 1882.

A. B. Edwards Sept
Jas. A. Co. Edmund Sept

Wm. E. Collins & Co.

— 25. $\left\{ \begin{array}{l} \text{Send to} \\ \text{an. bill} \\ \text{in day} \end{array} \right.$

R. H. Latimer wife
 & wife solo.

To Maria R. 1852
Coddill Jr

Expected by relieving to the corner names R R
William & Annie a fine large & Geo. & William each
a fine copy of the corner seen on March 1st
1882.
J R Curran & Son

Wm E. Vellines & others

Plffs.

vs. } Sulby,

Richd. H. Latimer wife & others

Defts.

On this 20th day of October 1882, personally appeared before me, the undersigned a Notary Public in & for the County of Isleswright & State of Virginia, John W. Lawrence & Lemuel P. Roberts & C. B. Edwards who being duly sworn depose & say that they are well acquainted with the land in said Isles whereof Mrs. Martha A. Vellines died, seized & possessed, containing 70 acres more or less, referred to in the decree of Isleswright Circuit Court of April Term 1882, in the suit of Wm E. Vellines & als. vs. Richd. H. Latimer wife & als.; that from their personal knowledge of the said land they do not think it can be divided in kind among the parties entitled as required by the said decree, without great loss and injury to the parties, as such share or portion would only be some 8 or 10 acres, would be entirely too small to be worth anything for farming purposes, for which the said land is used & is only valuable; that they think the sale of, or allotment of the whole tract to any party, or parties at the valuation placed upon it by the Comm^s of partition, will best promote the interest of all parties, that they do not think from the manner in which the said land lies that it would

practicable, or hardly possible to have
it divided as required by said decree—
a Competent Surveyor—

Octo 20/82

Signed

Samuel P. Roberts

A. B. Edwards

Subscribed and Sworn to before me, this
20th day of Octo: A.D. 1882.

Wm. H. Hart, Notary Public

Isle of Wight Co., Va.

11

The depositions of Marsden
J. Velins, E. P. Vornble,
and others, taken before
me W. J. Nelson a Notary
Public for the county of
Ash of Wight pursuant
to a notice hereto annexed
at the office of R. S. Thomas
in the town of Smithfield
on the 14th day of March
1884 between the hours of
6 A.M. and 4 P.M. to
be read as evidence on be-
half of the said Marsden
J. Velins in a certain
suit in equity depending
in the Circuit Court of Ash
of Wight County in which
Wm E. Velins and others
are plaintiffs and R. S.
Latimer and others are
defendants, for

Present, R. S. Thomas,
atty. for Marsden & Velins
R. E. Boykin, atty for Wm E.
Velins and others defendants.

Marsden J. Velins being duly
sworn on the Holy Evangelist

deposeth and saith as follows

1st 2. State your age and residence,

1st A. Age 38y^{rs} ^{deposeth in} Norfolk City
State how long you have resided in Norfolk City.

I have resided in Norfolk City about 7 yrs.

Did you reside there in March 1882 and have you resided there continuously ever since?

Yes

In the suit of Melvius and others against Latimer wife and others now pending in the Circuit Court of Isle of Wight County brought to March rules 1882 it is stated that Martha A. Melvius was seiser and possessor of certain real estate lying in the county of Isle of Wight containing 70 acres a ~~deposeth~~ ^{deposeth} the laws of C. P. Warrick, R. H. Pulley and others, that she did some -

time in the year 1879
and left as his heirs at
law Wm E. Velinus, Benton
H. Velinus, Marsden & Ve-
linus, Sallie C. Latimer
Mary C. Swatney, Abram
R. Velinus, and two grand-
children Geo. J. Velinus and
Martha J. Velinus, that the
real estate aforesaid was
incapable of partition and
asked that the same be sold
and the proceeds ~~be distributed~~
be distributed according to the
interest in this suit it
is ~~stated~~ ^{appears} that Wm E.
Velinus, Benton & Velinus
and Marsden & Velinus
are plaintiffs and R. H.
Latimer and others are
defendants, state whether
or not you authorize this
suit.

I did not.

It appears from the record
that George M. Waddell was the
attorney who instituted this
suit, state whether or not
you ever instructed him to bring

this suit,

I did not & never spoke
to him about it in my
life.

State how your first
knowledge of this suit was
acquired and when and
where.

Last September, in 1883
Mr. R. C. Boykin met
me on the street in Smithfield
and told me there was some
money in his hands for me
and would be pretty soon and
I asked him where it was
coming from, and he told me
it was from my mother's
estate, ~~and I told him I~~
~~would not~~ arising from
the sale of the land be-
fore mentioned, and I told
him I would not receive
it. Mr. Boykin told me I
was one of the petitioners to
have the land sold, and I
replied I was not, and had
never been notified, and that
my name had been used

without my knowledge or authority;

State whether or not when you were thus informed by Mr Boykin of the sale of the land of your mother, you expressed dissatisfaction at the sale of the land and at the valuation that had been placed upon it.

I do.

State how many acres there are in the Chesair tract of land?

I should say that in both tracts there are about 100 acres or more.

State what are the tracts of land that you thus designate as two tracts, and number of acres in each.

In "Horn Tract" I should say there is about 80 acres in it, and in the "Woody Tract" about 20 acres.

State whether or not these two tracts of land adjoin each other.

Thy. As,
State when the "Woody
Tract" was purchased and
by whom?

I can't say definitely when
it was purchased but think
it was purchased about 30
years ago by my mother.

State whether or not since
that time and for long
years past it has not
been considered part of
the Melvin Tract of land

It is now, and for years
past has been.

State what in your opin-
ion was a fair valuation
of these two tracts of land
upon the 20th of Oct. 1882

I should think them
worth \$1400.00 and cheap at
that.

State the number of acres
of arable ~~area~~ land in
these two tracts or this tract of
land,

I reckon there is 65 or
70 acres,

State the general quality
and condition of the land.
The greater portion of
it is "Light" land, easily
cultivated and of fair
quality.

State the houses that
are upon this land;

A Dwelling house, kitchen
in one room, apple mill house
stables, crib and a cook house.

State whether or not if this
land is exposed to sale at
public auction you are
willing to offer for it and
to start it at \$1200,

I am;

State whether or not you
are willing to give bond and
good security to start it at
that amount,

I am,

State when your mother
died,

I think in Sept, 1879

State when your father
died

I think sometime in May
1881,

State which members of
the family, of your father
and mother, lived with them
on the aforesaid place at
and before the dates of their
respective deaths,

Wm. C. Velins on, A. R.
Velins.

State whether or not they
paid any rent or any money
for the use and occupation
of said land, since your
father's death?

Not that I know of.

State whether or not they
paid to your father any
rent or any money for
the use and occupation
of the said place after the
death of your mother, and
prior to his death.

Not that I know of. I
understand you ^{they} to say
that in your opinion in
October 1882, the aforesaid
tract of land was rightly
worth \$1400.00 and that you
~~were willing then or within~~

~~to give more than \$1000,~~
~~for the same, and that~~
 if ^{it} is exposed to sale at public
 auction, you will start
 it at \$1200⁰⁰, as I understand
 you correctly,
 (You do,

Cross examiner by R. E.
 Boykin,

I understand you to state
 in your examination in
 chief that you had no knowl-
 edge of the institution or pend-
 ency of this suit prior to your
 conversation with R. E. Boy-
 kin; were you not inform-
 ed of the purpose to bring such
 suit by any one?

I was not.

Did you know who was
 occupying the property and
 upon what terms it was being
 occupied?

I knew who was occupying
 the property, but did not know
 upon what terms.

You state that there is about
 100 acres ~~more or less~~ in both

in the ^{now} Velins tract", is
this statement based upon
~~the~~ survey or general idea,
General idea,

Then again you assert pos-
itively that there is more than
70 or 80 acres in said land.
I could not state that positively
because it has never been sur-
veyed. in my opinion there
is about 100 acres.

You have stated that about
65 or 70 acres of the above
land is arable and under
cultivation, and that it is
of fair quality; explain
more particularly what do
you mean by fair quality.
I should say that land ~~that~~
~~land~~ that would bring 60 bushels
of peanuts to the acre is good
quick land,

Do you mean to say that
the 65 or 70 acres of arable
land would average 60 bu.
of peanuts to the acre?

No Sir. I do not, there is
about 40 acres that would or

that,

Will you state how many barrels of corn per acre this land will produce,

Good cultivation it would bring 3 bbls.

In October 1882 what was the condition of the house and fence in and upon said land.

They appeared to be in good order

Is the dwelling house ^{an} ~~a~~ ~~quite~~ ~~old~~ house,

It is, a portion of it is quite old,

At the date referred to would you not consider that it needed considerable repairs,

No sir, I don't think it did. You state that in October 1882 that the land was worth \$1400- if not more; was the land worth \$1400- in cash.

~~It~~ ^{I don't think} was not worth that much in cash, but it was worth ~~more~~ more than \$1000-

Was it worth that much on a credit of 6 months

I think it was,
If you had been a party to
this suit, ~~aware~~ aware of the
sale and assignment of the
property would you have
~~taken~~ taken the same at an
assignment exceeding \$1000-
the amount to be paid in
6 or 8 months from Dec
1852.

(Yes I would. ~~have~~
What amount would you
have been willing to have paid
under the circumstances
above mentioned.

If I had have wanted the place
I should have ^{paid} \$1200- rather than
let it go under the hammer

Did you want the place?
(Yes, I would have taken it
at that price at any time.
Would it have been conven-
ient for you at that date
to have purchased the said land
and paid for the same in 6
or 8 months, without inter-
fering ~~without interfering~~
with ^{your} other investments equally

as profitable,

I think I could,

Let you mean then to say
that if you had been a party
to this suit, you would
have taken the said land
at \$1200 - and upon the same
terms, excepting price, as an
assignor to Wm E. Velins and
A.R. Velins

I would,

Are you now willing to take
the said land at \$1200 - and
pay for any improvements that
may have been placed thereon
by Wm E. Velins and A.R. Ve-
lins since the assignment
to Wm E. Velins and A.R.
Velins,

I don't know what the im-
provements are so can't answer
that question.

If you had been a party
to this suit and present at
the time of the assignment
or when the report of the com-
missioners was returned to
court would you have resister
an assignment to Wm E.

Velines and A.R. Velines
at \$1000 - to be paid within a
short time or immediately
after the confirmation of said
report?

I should

Under the above circum-
stances would you have so
~~objected to~~ ^{to} ~~accept~~ the report of the com-
missioners of partition, if
the assignment had been
made to W.E. Velines and A.R.
Velines at \$1200 - to be paid
immediately or a short
time after the confirmation
of the commissioners report
I should.

Then I understand, that
even if you had been a party
to the sub. regularly summoned
you would not have been willing
that W.E. Velines and A.R.
Velines should have taken the
said loan at \$1200 - which
^{amount} you have stated is the amount
you would have been willing to
give for it, and that, at which
sum you now state you can

willing to take the property.

No because I think the property would have brought more at auction.

Why do you think it would have brought more at public auction,

Because I have seen a fortnight ago they would give more for it if put up at auction.

Now the parties ~~said~~ so state to you,

I decline to answer that question for it is not polite for me so to do,

W. C. Vilins and A. R. Vilins deem it important to ~~their~~ the protection of their interest that the ~~question~~ above question should have been ~~sworn~~ fully, do you still decline to answer it?

I do.

Are you familiar with the value of lands in the vicinity of the land under consideration

I am not.

Were your father and mother very aged at their death? and

state their ages respectfully,
My father was about 85 or 86
and my mother about 78
words of 78.

Were they able without as-
sistance to care for and
support themselves?

~~to my mother~~ They were
not able for 6 or 8 months
before his death was helpless.

My mother was an invalid
for 4 or 5 months before her
death, prior to that time she did
the cooking, washing, &c. for
herself, & my father ^{about}
~~for~~ My father for two
years prior to his death, was
unable to do any work whatever.

When did W. C. & A. R. Vines
take charge of the farm?

W. C. went there in 1871
and A. R. Vines went there
a year or two after.

After taking charge of the
farm did they support and
care for your mother and
father during their respective
lives.

Yes sir!

(3)

Reexamined by R. S. Thomas.
In your own examination
~~you have asked~~ "you state
that in Oct. 1882 that the land
was worth \$1400 - if not more,
was the land worth \$1400 -
in cash, and you replied I
don't think it was worth that
much in cash but it was worth
more than \$1000. Then you were
asked if it was worth that much
on a credit of 6 months, and
you replied I think it was, you
were then asked if you had been
a party to the suit and aware
of the sale and assignment
of the property, would you
have taken the same as an
assignment excluding \$1000 -
amount to be paid in 6 or 8 months
from Oct. 1882, and you
replied you would. Did the re-
port of the commissioners of
partition, being dated Oct. 20th
1882 and not filed until
Jan'y 1883, and there being
no court until April 1883
~~when~~ would you have had any hesitation

in taking the probate at
\$1000 - or at a sum exceeding
that sum in preparing for the
payment for the same.

No. I would not
You have stated that your father
and mother were old at their
respective deaths, were they
up to a short time prior to
their deaths, healthy, able, active
and industrious, well

They were.

Q. What work in the family
did your mother do,

Cooking, washing, sewing
and general house work up
to 4 or 5 years before her death,
about that time I went to
Norfolk and have not seen her
since.

State whether or not your
father was not an active and
industrious man up to his
two years before his death,
He was.

Also further this deponent
saith not.

Marden J. Bellino

C. P. Marble, being duly sworn, deposes & says as follows:

12. State your age and residence
1 A. I am 55 yrs. old, reside in the county of Ish & Knight about three miles from the Court house.

2. State whether or not you are familiar with all of the parties to the suit of Terhies and others vs. Latimer and others, and if the law describes in that suit as the land of Martha A. Velins.

2 A. I know all are familiar with all except Termaria with whom I am not intimately acquainted.

3. Are you acquainted with the land described as the land of Martha A. Velins

3 A. It is within a mile of our port is within half of ^{mile} and runs my land, the land of R. H. Pulley, Gro. 2, it is a ~~and~~ D. B. Stott and Frank Pulley, I have been knowing this

for 40 or 50 years.
42 State the number of acres according to your best information and belief, in the tract of land now spoken of as the Vilines Tract of land.

4A I should think that there is about 100 acres.

5-2 State the quantity of arable land in this tract

5-A About 60 or 65 acres.

6-2 State its general character and condition.

6A It is medium light except about 10 acres, ~~that~~ which is low and moist or stiff land, with a drain through it.

7-2 State whether or not this 60 acres is now cultivated and if so with what crops?

7A It is cultivated, with corn and few oats on edge, sometimes crop is good, and if drained it would be as good as any on the land.

(6)

8 Q Starts whether or not it
can be easily drained,

8 A. It has been ditched for several
years, and the ditch
runs to a swamp, but
whether there is fall enough
or not I do not know

9 Q How far is the swamp to
this wet place,

9 A From the head of the fur
to the swamp is about 200
yards, the other end is im-
mediately on the swamp.

10 Q Is it understood you to
say that this wet place can
be so ditched as to drain it
properly?

10 A It can be done properly.

11 Q How far and how deep would
it have to be drained to drain
it properly.

It is a question I cannot
answer, about 200 yards from
the head of the fur, about $2\frac{1}{2}$
feet deep.

12 Q State whether or not you
have seen good crops of corn
growing on this wet place
I have,

12 A

13 Q State whether or not the balance of the land is about on an average with the land with the land in that section,

13 A It is on average with some of the lands with some of the lands it is not an average; taking the number of acres it is about as good as my land, and is about an average with the other lands in the community.

14 Q State what houses were upon this land in Oct, 1882.

14 A Dwelling, cook and dining room kitchen, smokehouse, corn-crib, stables and millhouse.

15 Q State what in your opinion was a fair value of this land in Oct 1882 with all of its then buildings, upon cash or for 12 months credit

15 A I suppose \$1200 or \$1300 at that time.

16 Q State whether or not this land is adapted to the growth

of peanuts,

16 Q

It is,

17 Q

State if it ~~is~~ when
land is rented out for
peanuts what is the price
usually charged for it in
your neighborhood and what
portion of crop is taken the
rent is ~~taken~~ out of the crop
when it is rented out for a
portion of the crop.

17 A

Generally I cannot answer,
what it rents out for an acre
for money, but when it is
rented out for a portion of the
crop, to my own knowledge
I do not know. I ~~have~~ ^{have} ~~received~~
\$800 for ~~an~~ acre, last year and
this year I get $\frac{1}{2}$ of the crop
but I furnish the team
and $\frac{1}{2}$ of the seed.

18 Q

Do you know if any of your
neighbors who rent out land
for peanuts.

18 A

Mr. R. R. Culley is the only man
I know, and of my own knowledge
I do not know what he gets.

19 Q

State now for you live from Mr.
Abraham Collins?

19 A. About one mile.

20 Q State whether or not you were quite frequently there up to the date of his death.

20 A. I was frequently there nearly every week, up until a few years before his death, then not so frequently, until just before he died when I was there every week and probably twice a week, sometimes.

21 Q State whether or not Mrs. Velino was not until a very short time before her death a very active energetic, working woman

21 A. She was, until about 6 months before her death, she was a hard worker and always doing something.

22 Q State whether or not ^{Abraham} Velino, was a hearty active industrious man until a short time before his death

22 A. He was, for a man of his age, he was paralyzed about 6 months before he died.

23 Q State whether or not you went over to Mr. Velino's

(7)

after the death of his wife
at his request and upon
his invitation to determine
for himself and his sons
what they ought to pay him
~~for~~ rent for the place

23. A.

Mr. Velives requested me
to do him a favor, & told
him I would and always
had done him favors, he told
me he would send me word
when he wanted me, then he
sent for me a short time
after that and I went over
at his request, he then told
me that his business with
me was to value his place
for rent for year, to Wm and
Robert Velives, Mr. R. S. Pulley
was sent for, he came over
in about 10 minutes and
he narrated the same thing
to Mr. Pulley as his business
with him; Mr. Pulley & my-
self, after consultation de-
cided on \$25⁰⁰/₁₀₀ ^{per} year, then
Mr. Velives said then you have
decided on that question, what
shall I pay them boys for the year

we decide she should pay
them 6 dollars - dollars, & don't
remember which,

242 The counsel for W. E. & A. R. Valius

242 State whether or not Messrs
W. E. & A. R. Valius were present
at this conference and
consultation,

24A They were present,

The counsel for W. E. & A. R.
Valius, excepts ~~for~~ so much
of the foregoing deposition
as relates to the renting of
the land in question from
Mr. Abram Valius by
W. E. & A. R. Valius or to
any agreement to lease
him as not being to the
issue

Cross examined by R. E.
Boyd with waiver or
exception

12 Did W. E. & A. R. Valius
agree to rent said land
and lease Mr. Valius upon
the terms you have mentioned

- 1 Q. I understand it so
2 Q. Have lands in your section increased in value within the past two years I think so
3 Q. Has this particular land increased in value in the last two years.
3 A. I should think so, as all other lands have,
4 Q. About how many bbls. of corn will the Arable land in question produce per acre,
4 A. About $2\frac{1}{2}$ to 3 bbls - for an average year.
5 Q. About how many bush of peanuts would it produce per acre, an average year
5 A. I suppose that portion which has been mowed and mangled would produce 40 or 50 bush
6 Q. How many acres would produce 40 or 50 bush
6 A. 20 or 25 Acres
7 Q. What was the condition of the houses and fences in Oct, 1882.
7 A. Fairly good condition except the dwelling, which ^{was in tolerable good condition but} needed shingling

on the 15th part.
8 Q. State what in your opinion was the value of said land in Oct. 1882 if sold for cash or upon a credit of six or eight months.

8 A. \$1200 or \$1400.

9 Q. In your examination in chief you have stated that the said land upon a reasonable credit was worth in Oct. 1882 \$1200 or \$1300, you now state that at that date the said land if sold for cash or upon a credit of six or eight months, was worth \$1200 or \$1400 why have you raised this extra \$100.

9 A. I stated said \$1200 to \$1400 and if I did not say it I intended to say it.

10 Q. Do you now mean to say that at that date upon the terms mentioned said land was worth \$1200 or \$1400.

10 A. Yes Sir.

11 Q. Have you recently stated that you would bid that sum

if the said land was ex-
posed to public auction

11 A. I have not

12 Q. You have stated that last
year you refused \$8 per acre
for a portion of your land
to be cultivated in pecanets
how many acres did the
party desire to rent.

12 A. One acre

13 Q. Was that acre better land
than the average Illinois land?

13 A. It was so better I think

14 Q. How many acres in your
farm

14 A. 257 or 300 acres

15 Q. What do you consider the
value of your farm,

15 A. I don't really know the
real value but would not
like to take \$10000 for it,

16 Q. Do you remember at what
amount it was ^{the} assessed,

16 A. I do not

Now further this depends
on the soil,

E. P. Warble

Adjourn until to morrow morning
at 10 o'clock

R. H. Latimer being duly sworn deposes and says as following:

1 Q
A.

State your age and residence

The W. E. Velins and A. R. Velins by their counsel except to the taking of the deposition of R. H. Latimer, because he is a party defendant to this cause and is concluded by the report of the commission of partition in this suit and were confirming the same and for other causes hereafter to be shown,

1 Q
A.

State your age and residence
I think I am about 41 years old and reside in the county of Isl. of Wight.

2 Q

Are you familiar with the ^{land and bill in the} proceedings mentioned as to land of Martha A. Velins

2 A.

I think so, because I have frequently been there, married my wife there, and visited it frequently, and been acquainted

with is nearly all my life
Q 2. In what year did you marry
your wife Callie A. Vilnius

3 A. In the year ^{1886 or} 1887

Q 3. What was the land in the
proceedings mentioned as the
"Vilnius Tract" of land, worth
in Oct 20th 1882

4 A. I should think it was worth
\$1400⁰⁰

Q 4. When were you informed of
this suit, and what were your
views its purpose and object

Defendant on his answer
to E. and A. R. Vilnius excepts
to the foregoing question because
the said Restatement is not a
party to the partition which has
been filed in this cause by M. J.
Vilnius, nor has he in any manner
alleged want of notice, or in any
manner accepted to the proceedings
in this cause.

Q 5. I could not tell the exact date
but think it sometime last
spring, I know sometime dur-
ing the year. Its object was to
get a decree to sell the property
one of the parties not being of age

Q 2 Were you informed of the allot-
ment or assignment of this
tract of land to W. A. & C. R.
Tilley at \$1000—

6 a Not at all knew nothing
7 L in the world of it at the time.
If you had been, would you
have expressed your dissatis-
faction at it, and taken
steps to except to the report
of the commissioners
7 A. I should.

Cross-examined by atty, for
W. A. & C. R. Tilley without
waiver or exception

Q 1 Q Are you not the same
P. H. Latimer who is named
as a party Defendant in this
suit, and upon whom process
has been returned, executor

1 A. Of course I am the same.
2 Q When you were informed
of the objects and purposes of
this suit and of its pendency
did you then employ counsel
or yourself examine the pa-
pers in this cause, to ascertain
its purposes and objects and what

(9)

2 A. was being done therein,
I did not examine any re-
fers, my self and M. J. Velino
did jointly counsel

3 Q When did your employment counsel
was it before or after M. J. Velino
has instituted proceedings
in this suit for the pur-
pose of setting ^{said} said assign-
ment of said land.

3 A When I found out that
M. J. Velino and A. K. Velino
has taken the property of \$1000-
About the ^{same} time

4 Q Give us the exact date as
near as you can,

4 A I could not tell exactly but
think it was since 1922

5 Q Did you except to the Com-
missioners report in this
cause either in person or by
attorney.

5 A I did not know anything about
the commissioners report,

6 Q Are you aware of any sale of
land in the vicinity of the
Velino land within the past
three years

A. None that I know of.

7 Q

Are you acquainted with the values of lands in that section,

7 A.

I should judge so about as much as the generality of men,

8 Q

What is the basis of your knowledge of the values of the lands in that immediate vicinity

8 A.

Different lands of different values you know, I own a farm of 123 or 124 acres in the same neighborhood and sold it for \$1500—

9 Q

How far do you live from this place,

9 A.

I suppose 12 miles, the land I sold was about 4 miles from this place,

10 Q

In Oct. 1882 would you have been willing to have taken the land in controversy at an assignment of \$1400— and paid for the same in cash or upon a credit of 6 or 8 months

10 A.

I think I would say,

11 Q

Do you ^{state} ~~state~~ this positively,

11. H. The way I generally do, what I
say I mean

12. I If permitted to do so, would you
now take this land at \$1400—
and pay therefor the sum of \$1400—
within a few months after the
April term of the circuit court
and in addition thereto pay
for the improvements, if any
which may have been placed
on the said land by W. C. &
A. R. Velites since Oct 1883

12. A I could not do it because I have
made other arrangements,
and further this defendant
saith not,

R. H. Latimer

A. J. Edwards, being duly
sworn deposes and says
as following.

Q 1

State your age and
residence.

A.

I am 57 years old,
reside in Isle of Wright
county near the ~~land~~
Mellins Tract of land
in the proceedings men-
tioned.

Q 2

You were one of the com-
missioners of partition who
with R. S. Bulley, John F.
Whitley and C. K. Hart made
your report to the Court the
20th of Oct, 1882; state
what in your opinion
was a fair value of the
said tract on that date.

Q 3.

I think my figures
are \$100,000.

Q 4

If you have a distinct
recollection of what your fig-
ures were please state it.

Q 5.

Really I do not ^{know} but I am
disposed to think it was
\$100,000.

Q. W. C. Valine by their
counsel except to the
fore going questions and
answers, because the said
witness by his report further
mentioned under oath
~~testify~~ has stated that in
his opinion the said land
was of the value of \$10,000

Close examination without
waiver or exception, by R. E.
Boykin

1 Q

All you know, prepared
to say that on the 20 of Dec
1882 the said land was
of a greater value than
\$10,000 if sold for cash or upon
a credit of six, eight or
twelve months credit

1 A

We were to appraise this
property at its cash value and
not upon time, and think
my figure was \$1100

2 Q

Were you not sworn to appraise
it at its true value,

2 A

Certainly I was, and did so
according to my judgment
and belief.

3 Q

Then do I understand that

the valuation placed by you
upon the said land by
your report made in pursu-
ance of an order, now filed
in the papers in this case
is a correct and just valua-
tion?

3 A. I do for the cash, at that
time.

1 Q. Examined by R. H. Thomas
Explain your concurrence
in the report of the Commission-
ers.

1 A. I think I value it at a
cash value of \$1100, but
the majority said it was
worth \$1000 - so I concurred in
their opinion.

And further this depo-
nent saith not.

A. H. Edwards

Depositions of R. H. Pulley
J. W. Lawrence and others

taken before me this
25th day of March, 1874
pursuant to an adjournment

to be read as evidence in
behalf of A. R. W. C. Velino,
parties to this suit.

Ed. D. Pulley being duly sworn
deposes and says as follows,

1 Q

State your age residence
and occupation,

1 A.

My age is 78 years,
I reside in Twp of Wright
county, adjoining the
Velino Tract of land. I am
a farmer.

2 Q

Are you intimately ac-
quainted with the lands
in this proceeding, mentioned

2 A.

I am

3 Q

Are you then of the posses-
sion of lands of the
possessing district of
which this land forms a
part, and are you acquainted
with its limits and bounds

3 A.

I am.

4 Q

How long have you resided
adjoining this land,

4 A.

About 48 years

5 Q

In your opinion, how many
acres are contained in the

tract of land in the pro-
cessing mentioned

5-A. I think it 75 or 76 acres
I go by what Mr. Telino
frequently states to me.

6-D. On the 20th of Oct 1882
what was a fair value of
said land?

6-A. I was out the commis-
sioner and put it down
at \$1000 and still think
so yet

7-D. Are you acquainted with
with the land upon which
E. P. Wombles resides

7-A. I am ~~at~~ giving you also
8-D. state what in your opin-
ion is a fair value of that
land

8-A. I should think \$4000
was a large valuation for
it.

Cross-examined by R. L.
Thomas

9-D. When you value the Telino
tract of land at \$1000, do
you mean to say that was its
cash value; or its value upon

sale at reasonable credit.

1 A

I thought it was cash value

as I was instructed to value it

2 L

What in your opinion was
it then worth at a public sale

upon fair and reasonably
credit, if say 1/3 cash balance
in one and two years,

2 A

I think \$1000 would have
been its fair value. I would not
have given any more.

Am further this dependent
on the fact,

R. H. Pulley

J. M. Lawrence, being duly
sworn, deposes and says
as follows.

1 L

State your age, residence
and occupation.

1 A

Age 34, I am a farmer
and live on the farm of R. H.
Pulley, adjoining the tract
of land.

2 L

What in your opinion
was a fair valuation of
the said land the 20th of Oct
1882, if sold ~~upon~~ for cash
or upon a credit of some
months.

2 A I think \$1000 was a
big price for it, more than
I would give for it unless
I had some other lands
from which I could get
something from to reimburse
it, it is all swamp except
what is clear and a small
piece on Mr. Wombles Avenue
which has no trash upon
it.

Q I then I understand you to
say that \$1000 is a big price
for it, am I correct?

3 A You are, I said so the day
I ^{it was} valued.

Overexamined by R. S.
Thomas.

Q How many acres of
arable lands do you think
in the Veljevo tract of land.

1 A I don't think there is more
than 35 or 40 ^{acres}, don't know
but you'd judge that

Q If the balance is woods
if so what is the growth
upon it

2 A Yes sir, it is in ~~woods~~ swamps

timber consists of Hackberry
sweet gum, cypress and a
few scrubby pines; there is
no timber whatever upon it.
There are four or five acres
on Wrubbs Avenue, ^{but has upon it} ~~also~~
very few pines and scrubby
all said timber has been cut
off.

3 Q.

Do I understand you to
say that there ^{are} no pines on
the tract which yields trash
for the law?

3 A.

I don't consider there is any,
if any coming; the only
pines are those that I have
mentioned.

4 Q.

How long have you been living in
the neighborhood of this farm?

4 A.

Three years the 25th of each
month.

5 Q.

From what place has this
farm obtained its trash woods
logs and timber,

5 A.

He obtained ~~it from~~ some of
it from under the few pines
and he also got some from
Mr. H. B. Stott's land.

6 Q.

How far is this Wilsons land from

this Stott's land

Q. A.
7 Q

Adjoining it
Did Mr. Velins buy the
tract from Mr. Stott, and if
so how many acres and when
did he purchase it

7 A.

About two acres, and I think
about three years ago.

1 Q.

Recognizing by R. E. Boykin
Is there sufficient ~~now~~ timber
to furnish rails and track
for purposes of said farm

A

No Sir: not rail timber
enough on it to fence 1/2 of
it if it was all made
into rails

And further the defendant
suits not

Jno. W. Lawrence

Mr. Jno C. Thurnoe being
duly sworn deposes and
says as following,

1 Q

State your age, residence
and occupation

1 A.

I am 38 years. Do live in
the county of De Kalb near
the Velins Tract of land

am a farmer and
merchant.

I I. What in your opinion ~~is~~
a fair valuation of the said
land on the 20th of Oct
1882, if sold for cash or
upon a credit of 12 months,

I A. I think \$1000. I am well
acquainted with the land
been knowing it 50 years.

And further this document
saith not. J B Thomas

Charles Edwards being duly
sworn deponent and says as
following.

I I. State your age residence
and occupation,

I A. I am 45 years old, reside in
the county of Ishelbight near
the Belvoir tract of land.

I am a farmer, and
am familiar with the said
tract of land & have been liv-
ing near it 17 years.

I I. What in your opinion was
a fair valuation of said land
on Oct 20th 1882, if sold for
cash or upon a credit of 12
months

2A

I dont think it would
have sold for more than
\$1000, I dont think it
would have sold for that much
at that time, dont think it would
have sold for more than \$800 or
\$900 cash or upon 12 month
time.

3 Q.

State whether or not there
is sufficient timber in said land
to supply it with rail timber,
fire wood and such.

3 A.

Yes Sir I dont think there is
by right smart.

Now further this defendant
saith not

Charles Coleman

MR Velins, being duly
sworn deponeth and saith as
follows

1 Q.

Tell your age residence
and occupation,

1 A.

I am 36 yrs old, reside in
Twp of Wright County, on the Velins
Tract of land, am a farmer,
and am one of the plaintiffs
in this suit,

2d Ques.

State whether or not you
have any conversation with
Morrison J. Velino, regarding
this case and if so, when and
what was the purpose of said
conversation.

2d A.

I have a conversation with
him, before the ^{valuation of the land} ~~assessment~~
of the land, ^{by the committee in case of partition} in 1882 I think
at his residence in Norfolk,
I went to Norfolk the month
of Sept or first of Oct, but think
last of Sept, my business was
with my brother B. J. Velino
and M. J. Velino in reference
to this property, I went to see
my brother B. J. before I saw
M. J. he has told me that he
was going to give the land to
William and myself, but then
told me to have the deed written
and send to him he would take
it up to B. J. and himself and
wife would sign it, the next day
I went to see brother John, and
told him my business with him
was to tell him we were going to
bring suit and have the land
sold, he then asked me what was

that for. I told him that Mrs
Lattin, my sister, wanted
the estate settled; she wanted her
portion, he said then that any
arrangements Wm and myself
made would be satisfactory
to him, that he could not give
down for the lot farm in the
of Wright county.

3 Q

State whether or not in this
conversation you expressed the in-
tention or desire of J. E. Lattin
and yourself to take said land
at the valuation to be assessed by
commissioners of partition

3 A

I did I ~~was~~ ^{was} ~~going~~ ^{to take}
it at the appraised value
so as to carry out my father's
^{mother's} wish that the land should remain
in the old

4 Q

Did he interfere

4 A

He did not

5 Q

Was this before or after the
institution of the suit,

5 A

About one or two months
before the ^{valuation} ~~appraisal~~ ^{of the land} by
the commissioners, the suit
was then pending.

6 Q

6 L

State what in your opinion
was a fair value of the land
in Oct. 20 1882 if sold after
cash or when a credit of 6 or
12 months.

6 A

I think about \$100000
would have been a fair value

7 L

How many acres does it
contain,

7 A

Seventy five acres, (section) not
much

8 L

In what season is it assessed
for taxation

8 A

I think it was formerly as-
sessed at \$100000 I don't know
at what it is assessed now.

9 L

Is there sufficient timber upon
said land for firewood, rail
timber and track

9 A

No Sir, one fifth of the farm
is swamp

10 L

State whether or not prior to
the institution of this suit you
informed Est. L. & Co. of your
purpose to bring this suit

10 A

I did

11 L

During its pendency did you have
frequent conversation with him
regarding the suit and did he know

of its pendency

11.5

Yes sir, his wife was summoned to court, and in fact all the business, I do have conversations with him, I talk with him and tell him. Mr. J. B. Edwards advised me to have it ~~appraised and sold and take~~ or take it at valuation of commissioners of partition, and as it would give better satisfaction than trying privately, he drew the writ for partitioning.

2. 2

State whether or not either R. H. Latimer, his wife or Mr. J. Pelius made any objection to the report of the said commissioners prior to the filing of the case of the partition of the said Mr. J. Pelius.

2. 3

At the time of filing said partition was the first I knew of it, and Mr. R. H. Thomas informed me of it.

3. 2

State whether or not shortly after Apr term 1853 you offered to pay to R. B. Boykin

1
Commissioners, the sum of
money required by the decree
of that term to be paid by for said
land.

124 I did, ~~submit~~ to his office to
pay him, but he declined to
receive it because he could not
properly pay it out as there was
some debts due by the estate.

Now examined by R. L. Thurman

12 I understand you to say that
the first and only conversation
you had with Hazard & Titman
about this suit or any matter
connected with it was when you
visited Norfolk which was just be-
fore the commissioners of pro-
prietion came to make to make
their valuation and report.

Do I understand you correctly,
You do, one or two months before.

124 A. 22 On your chair in your recol-
lection that you told him that
you were going to take it at the
valuation the commissioners might
put upon it.

24 I told him, we (my brother & myself)
expected to do it, I am clear in

3 Q

my recollection,
Did not he & you then expect
the land to be sold at public
auction?

3 A

No Sir, I did not and I don't
think he did ~~get~~ from what I
told him, I told him that you
& I expected to take it to carry
out the wishes of our father
and mother,

4 Q

State if at the time you visit
at the office of R. C. Boy, Esq. as he
first mentioned, you were prepared
to pay and had with you to
pay the money due under the de-
ed, ~~as~~

4 A

Yes Sir I was, prepared to pay
it at any time. but did not have
it with me, but was ready to pay
him as soon as I was to receive
the debt could have had the
money in 20 or 30 minutes.

And further this document
saith not,

A R Telling

John D. Stagg being duly sworn deposes and says as follows.

1 Q

1 A

State your age residence and occupation, and are you acquainted with the Velius land.

1 A.

I am 35 yrs old, reside in this county, my land, adjacent the Velius land, am a carpenter and farmer. I am intimately acquainted with the Velius land. I have known it all my life.

2 Q

2 A

State the number of acres I don't know the number of acres.

3 Q

What was a fair value of said land on the 20 of Oct 1882, if sold for cash or upon a credit of 6 or 12 months.

3 A

I thought it was valued at a fair valuation, and that \$1000— was more than I would have given for it.

4 Q

State whether or not there is sufficient timber upon the land to furnish

rail timber, fire wood
and track for the purpose
of said farm.

4 A. There is not

Concession by Rd.
Thurman,

1 Q What land do you
own?

1 A. I own my father's tract
of land, said to contain
100 acres of land,

2 Q Do you own this in
your right,

2 A. It is, owned jointly by my
brother and myself

3 Q How much time of your
time and attention do you
give to farming.

3 A. I work off about much
of my time at carpenter
ing, and come home once
in every ~~one~~ week or two weeks
my brother carries on the farm
in connection with me, he at-
tends to all the business

4 Q What was this said tract
of land worth in Oct 1882
at a cash sale.

4 A. I think it ^{was} worth just
about \$1000 - and thinks
that was a plenty for it.

5 I. What was it worth in a
credit of ~~\$1000~~ one of
8 months.

5 A. Don't think it was worth
any more.

6 I. What was it worth 'B
or '4 cash balance in
one year two years,

6 A. I think it was value at
its full rates, don't think
it worth more than \$1000
if sold on those terms.

7 I. (You stated just now ^{\$1000} was
more than you would have
given for it, if it had been
sold at public auction for
\$800 or \$900 cash could you
have bid that for it and paid
it.

8 A. I could.

9 I. When does the rail timber
and trash for this farm
come from if it does not
come from the farm.

9 A. It comes from the "Celiver Truck".

of land up in the foguosen,
a different tract from this,
owned by J. R. Velinus,
bought by him of Abraham
Velinus, there is not e-
nough timber on the land
to ~~be~~ ^{be} mentioned in suit
to fence $\frac{1}{2}$ of it.

102

How long has this Martha
Velinus Tract of land which
been considering, drawn its
rail timber and track from
this other and upper Abraham
Velinus Tract.

103

Ever since I have known it;
I have hauled many loads
of rails, wood and track from
it.

112

What tracts of him land
are on this Martha Velinus
Tract of land.

113

I suppose there is about
15 or 20 acres on that portion
adjoining Mr. E. P. Womble's.

122

Have not most of the rails
and track ~~been~~ ^{been} taken
from this last tract
mentioned;

12. No sir, ~~they~~ ~~at~~ they have
been taken from the other
place ~~to place~~ it is grown
up with Myrtle undergrowth,

13. Do you own any other
tract of land than ~~the~~ the
one owned by yourself and brother

13A. No sir.

14. What is it worth.

14A. Preserv at \$1000

15. Have you ever owned any
other tract of land.

15A. No sir.

16. Do you work generally at
your trade.

16A. Yes sir.

17. Can you raise easily or
readily \$1000 or \$2000

17A. O yes sir!

18. Examiner by R. E. Boyer
If the said land had been
exposed to sale at public auc-
tion for cash on the 20th of Dec
1882, do you think it would
have sold for \$1000 unless the
said amount has been bid by
A. R. or C. E. Velier

18A. I reckon it would have brought
that as I reckon it was worth that

22

Have you not devoted the larger
portion of your life to farming

22

Yes Sir!

Now further this be-
forement saith not,

John D. Stagg

J. M. H. Jordan being duly
sworn depoth and saith as
following.

12

State your age, residence,
occupation and whether or not
you are acquainted with the
~~land~~ Velina Tract of land.

14

I am 36 years old, I live in
the county of Dale of the State of
joining the Velina Tract of land.

I am acquainted with it and
know it tolerably well and have
been driving in sight of it
for the last 4 years.

22

State what in your opin-
ion was a fair value of said
land on the 20th of Oct 1882
if sold for cash or upon a credit
of 6 or 12 months

22

I think \$1000 was a big price
for it cash and would not
like to have given more for it

22

3A

upon a credit of 8 or 12 months
Is there sufficient timber
on it to supply the necessary
use of said farm in rails
~~and~~ firewood and track.

I don't think there is
And further this document
suffices.

P. M. H. Porolan

Virginia:

County of Isle of Wight to wit:
D. W. J. McInnes, a notary
public for the county of Isle
of Wight in the said state, do
hereby certify that the fore-
going, depositions of Marsden
J. V. McInnes & P. Cornub, R. H.
Pulley, J. W. Lawrence and
others were duly taken sworn
to, and subscribed before me, at
the time and place, and for
the purpose therein mentioned.
Given under my hand this
4th day of April 1884

W. J. McInnes
N. P.

Notary fee \$7.50
100

Valuer & alr
or. { Description.
Latimer & alr

April 1st - 1844.

Came to hand under
seal and filed.

Teste, A. S. Young

OFFICE OF CITY ENGINEER,
No. 19. Granby Street

Roxfoll, Va. Oct 19th 1883

Mr W. S. Thomas

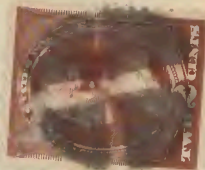
Dear Sir

Yours of the 15th
at hand I should think one
third cash and the balance in
one & two years. but I will
leave it all with you do as
you think best

Yours truly
M. J. Vellin.

Direct to No. 19 - Granby Street

BOARD OF
Street, Sewer & Drain Commissioners,
NORFOLK, VA.



R. S. Thomas. Esq.
Smithfield
Isle of Wight Co.
Virginia

In the Circuit Court of the County of Wright
County, Ark. Term 1882 -
William Z. Gillies Deft. H. Gillies
and Marsden L. Gillies Compt.

vs. } In Chancery
Richard H. Lattin and Alice A. his
wife, formerly Gillies John L. Gwalt-
ney and Mary Z. his wife, formerly
Gillies Abraham A. Gillies and
Annie A. his wife, Geo. L. Gillies
and Martha L. Gillies the last
an infant under 21 years of age.
This cause came on this day to be
heard on the bill taken for complaint,
as to the adult defendants, the
answer of the infant defendants
by H. F. Young her guardian ad-
litem with general replication
therein, and was argued by counsel,
on consideration whereof the Court
doth adjudge order and decree that
Chas. H. Hunt H. R. Humble R. H.
Pulley R. J. Edwards, and John L.
Whitely who are hereby appointed
compt. for the purpose any three
of whom may act, having been
first duly sworn, do proceed to
value, lay off and divide the real

estate of which Martha S. Vellius died,
seized and possessed consisting of
acres near Isle of Wight Court
House adjoining the lands of E. F.
Frumble. E. S. Vellius at all into
seven equal parts, and one of said
parts into two equal parts, so that
Geo. S. Vellius and his sister Martha
S. Vellius who are only entitled to $\frac{1}{2}$ of
it may be enabled to draw or have
drawn by that guardian at all their
their parts, and the other parties
entitled thereto namely William
E. Vellius Benton A. Vellius M. S.
Vellius & Frank S. Vellius & Sarah
A. Latimer wife of E. S. Latimer
and Mary E. Gwaltney wife of John
P. Gwaltney may draw their parts;
but if the said Commrs. find it
impracticable to divide the said
land amongst the aforesaid
parties or that no one of them will
take the same at the valuation or
should be of opinion that the
interest of the said parties would be
more promoted by a sale of the same,
in such case they are required to
report the facts upon which their

opinion is based to the Court and
also what is their opinion is the
the simple value of the said real
estate of which said Martha J.
Fellows died seized and possessed
and in either case they are required
to report their proceedings to Court.

a copy.

Teste, A. D. Springer etc.

William Cole

vs John Chancery

Saturnus Cole

Decree for partition

Virginia, Isle of Wight County Court.

This day personally appeared before me,
the undersigned Clerk of the Court of said County,
C. Hart, one of the Comrs. named in the within
decree, and made oath that he would to the
best of his ability & according to law
comply with the requirements of the
said decree. Given under my hand this
12th day of October A.D. 1882,
Signed, A. J. Young Ck.

Va. Isle of Wight Co. Court.}

This day personally appeared before me, the undersigned a Notary
Public in & for the State & County aforesaid, A. N. Pulley,
A. J. Edwards & Geo. H. Whitley, three of the Comrs. named
in the within decree, and made oath that they would to
the best of their ability and according to law com-
ply with the requirements of the said decree,
Given under my hand this 20th day of October 1882,
C. Hart, Ck.

Wm E. Vellines & others

Plffs.

vs. } In Chancery

Richd. H. Latimer wife & others Defts.

The undersigned R. H. Pulley, A. J. Edwards, Jno. F. Whitley, C. S. & Hart

Comrs of partition

under the annexed decree, after being first duly sworn, as required by said decree, most respectfully report to the Court, that in pursuance of the said decree, they have viewed the land therein mentioned, of which Mrs. Martha A. Vellines died seized & possessed in the County of Isler Wright, that the said tract contains 70 acres, more or less, valued at \$700.⁰⁰, as appears by the land book of said County for 1882, and find that the said land is incapable of division in kind without great loss, or injury to the parties in interest, that if divided in kind, it would have to be divided into seven or nine parts, which would give only about 8 or 10 acres to each tract, which would be very small, and of but little value ~~value~~ for farming, or agricultural purposes, for which the said land is used, & is only valuable; that all the buildings would, almost necessarily be on one tract, or part, which would make that tract or part worth at least three or four times as much as any other tract

or part, that the said land lies in such a manner
that it would be impracticable, & almost impos-
sible for it to be divided as required by said
decree by a competent Surveyor, even if it
was thought best to so divide it, that it
~~would~~ ^{will not} be to the interest of all parties
to so divide the said land in kind;
& that a sale of the whole tract, or the
allotment of the same at the valuation
we put upon it, to any party who will
take it at said valuation, will ^{best} promote
the interest of all parties; that we have
valued the said land at \$1000,00, that all of the
said Comrs are well acquainted with the
said land; and that they have assigned
and allotted the said land to Wm E. Val-
lines and A. Ro. Vallines, jointly, they
agreeing to take the same at the val-
uation we have placed upon it, and
pay to the other parties, the sums to which
they may be entitled, subject to the approv-
al of the Court; and that upon their own
personal knowledge and the accompanying
depositions, they submit the foregoing report.

Octo, 20/82

Signed

R. H. Culley

J. D. Edwards

Wm S. Whitley

C. H. Hart

Comrs
of
Partition

due Comrs

R. H. Culley 1 day \$2,00

J. D. Edwards 1 " \$2,00

Wm S. Whitley 1 " \$2,00

C. H. Hart 2 " \$4,00

Vallines W^m E. also,

as. } In Lhy.

Rich^d. H. Latimer wife also,

Report of Comm^s of
Partition -

Jan. 15th - 1883;
Filed.

=

SPRING AND SUMMER.

1884.

BALTIMORE, February 20th, 1884.

We take pleasure in informing you that we have now ready, for your inspection, a full line of new stock of Millinery Goods for Spring Season.

FULL LINES OF

RIBBONS

ALL WIDTHS AND COLORS,

Gros Grain, Satin and Gros Grain, Ottoman and Velvet and Satin,
IN MIXED AND ALL SILK.

BLACK AND COLORED VELVET, SATINS, SILKS.

CORTAULD'S BEST BLACK ENGLISH CRAPES,

4-4 all prices from 62½ cents yard up to \$2.50. 6-4 all prices from \$1.62½ yard up to \$5.00.

Ladies', Misses' and Children's Hats and Bonnets

In Canton, Milan, Coburg, Pearl, Pedal, French Chip, Loop Braids, &c.,

FLOWERS,

In Bunches, Montures, Bouquets, Roses, Buds, &c.

FULL LINE BLACK FLOWERS ALWAYS ON HAND.

Black and Colored Ostrich Tips, Plumes and Pompons.

LACES, VEILINGS, ORNAMENTS, &c.

We are constantly adding to our Stock anything new and desirable, as it appears in the market. You will find our prices exceedingly low. Would be pleased to have a sample order, which will have prompt and careful attention.

Hoping you will call when next in the city, or order, we remain

Respectfully yours,

JOHN DEVLIN & CO.,

257 W. Baltimore Street.

One Horse + Cart
5 Tables
18 Chairs
1 Rocking do
1 Desk
3 Beds & Covering
2 wash Stands
Wash Boiler Pitcher
1 Cooking stove
1 Beanpot
2 Looking Glasses
Crochery ware \$4.00

1883

Dec.

Leut of Valleys m. Saturn tried to, . S.

J. N. P. Young ~~coll~~ in clay, cir. St. I. flight

For time employed in making a copy,

Sept. 1. under date of Sept. 1883

\$ 10.00

J. N. P. Young con,

Smith & Wiggins
W. L. Lattimer & Wife.
Kala.

\$10.00

Tellins Fr. 2 -
Lals.

\$4.11

William E. Vellins, B. H. Vellins & M. J. Vellins.
1883 To the Clerk of Sec of Right Cor. let.

Octo. Contin. as Latinized tal. 36 April, a Decree (2^d)

for sale & copy 1.00 - Comis. bond (2^d) recd. & copy

& flg. 1.65 - Tax & Costs, 3^d time & copy. 85 - clg. of

bond. 25 - flg. ref. Com. Bond. 15 -

J. P. Long, Clerk.

84.11

Tellins stab

or, $\frac{1}{2}$ Rice of
Costs

Latimer stab, etc.

Not including apl. ch. / 81

Villiers et als

390
3rd clay.

Saterius et al,

Price of costs to & incl. apr. 1886

otto. for stay. —	101. 50
cks. " —	15. 26
stuff. " A. B. E. —	2. 00
stuff. " R. A. E. —	5. 00
Cont. in clay. Gmng —	16. 00
C. H. Hart, R. N. Puller,	
A. J. Edwards & J. P. Tolant	
cont. of postage & exp ^d each —	8. 00
C. H. Hart & May Jr —	75
L. W. Lawrence costs —	50
L. O. Roberts " —	50
A. B. Edwards " —	50
W. J. Dureau & May Jr for Defeo. —	50
J. M. H. Jordan costs —	50
J. D. Stagger " —	50
R. H. Puller " —	50
E. O. Womble " —	50
M. J. Villiers " —	50
Total	\$ 105. 05

Teste J. D. Young cell

In the Circuit Court of Isle of Wight County.
William E. Vellies, Benjamin Vellies
and Marsden J. Vellies Compls:
vs. $\frac{3}{3}$ In Chy.

Richard H. Latimer & Sallie, H. his wife,
John B. Gwaltney and Elanor E. his wife,
Abraham P. Vellies & Ann H. his wife, George
T. Vellies and Martha J. Vellies. Defts.

To the Circuit Court of Isle of Wight County.
Pursuant to a decree of the said Circuit
Court, rendered in the above mentioned
cause, at the April term last, directing a
commissioner of the court to ascertain and
report to court, whether partition can be
conveniently made of the real estate of which
Martha A. Vellies did seized and possessed,
consisting of sixty acres adjoining E. P. Com-
bs, R. H. Pulley & others; and if not if the en-
tire subject be allotted to any party who will
accept it and pay therefor to the other parties
such sum of money as their interest therein
may entitle them to - or if the interest of those
entitled to the subject or its proceeds, will be
promoted by a sale thereof, or an allotment
of a part and sale of the residue. And also
to take the following accounts - 1st an account
of the fee simple and annual value of said
lands. 2nd of the debts if any due by said
Martha A. Vellies. 3rd. the debts if any
due by said Abraham Vellies. 4th what
was a proper rent for the said lands

during the life time of said Abraham
Vellies. - 5th - what, if any, is a proper
charge for the board of said Abraham Vellies.

Your commissioner reports to the court that
on the 24th. day of June last, he issued notice
to the parties that he had fixed upon the
24th. of July 1885, to make the enquiry
and accounts required by said decree, at
his office, and requiring them to attend
which notice was returned to your commis-
sioner, by the sheriff, executed. That on the
day so fixed upon, the parties in person
or by attorney appeared, and your commis-
sioner made a partial examination of
the evidence adduced, and continued the
case until the date of this report, when
upon further examination, he has ascer-
tained and so reports that the land aforesaid
cannot be partitioned conveniently nor
without injury to the parties entitled
thereto. That no person will take the entire
subject and pay therefor to the other parties
what their interest therein will entitle them
to. And that it is his opinion, decidedly,
that the interests of the parties will be
promoted by a sale of the entire subject.
Your commissioner ascertains the fee simple
value of said land to be \$5000. 00, and
the annual value \$500. 00 -
Your commissioner finds the debts outstanding
against Martha A. Vellies to be as follows.

Debt due W ^m E. Vellicies, it being balance due him on his account reported to & confirmed by county court held at Wight on the address of Martha Vellicies	98 45	
Int. on \$94.93 from thereof from 4th. of Augt. 1885 to 20. Octo. 1885	23 97	122 38
Debt due P. N. Pell and	3 84	
Int. from 4 th Augt. 1885 to do.	1 66	5 50
Making total of debts found		\$127 88

No Debts have been known against
Abraham Vellicies or his estate.
Abraham Vellicies, after the death of his
wife, the said Martha A. Vellicies, held
the said land as tenant by the entirety
and, consequently, no rent, services, fees
survival of her, can be properly charged
to him. As Abraham Vellicies lived
on and occupied the said land and
houses, and was the head of the family,
there can be no proper charge for
his board.

Given under my hand as a commis-
sioner of the said Circuit Court, at my
office, at the court house of said county, this
24th day of August, 1885.

A. J. Young com.

Comms. fee	\$10.00
Shff.	5.00
Cts.	\$25.00

Wellins et als.

vs. 3 Jn Eley.

Lateiner et ux.
et als.

Rept. of Com. Young
under deers of
Apl. 1883.

Filed 24 Sept.
1883,

Apl. term 1886
conf. by court.
=

NOTICE!

FARM

FOR SALE!

By virtue of the decree of the Circuit Court of the county of Isle of Wight, rendered at its April term, 1886, in the chancery suit of Vellines et al. vs. Latimer et ux et als, pending in that court, we will, as special commissioners appointed for that purpose, offer for sale at public auction, at

Isle of Wight Courthouse,

On MONDAY, OCTOBER 4, '86,

(that being Court day,) all that piece and parcel of Land lying and being in the said county, of which Martha A. Vellines died, seized and possessed, containing 60 acres more or less, adjoining the lands of E. P. Womble, R. H. Pulley and others.

TERMS OF SALE:

Enough cash to pay costs of suit and sale, the balance on a credit of one and two years, in equal installments, for which bonds with good security, with waiver of the homestead exemption, bearing 6 per cent. interest from day of sale, will be required, and title retained until the further order of the Court.

R. E. BOYKIN, }
R. S. THOMAS. } Special Commr's.

Clerk's Office of Circuit Court of Isle of Wight County, July 8th, 1886.

I, N. P. YOUNG, Clerk of the said Court, do certify that the bond required by decree of said Court, rendered at the April term last, in the suit of Vellines et als. vs. Latimer and wife, et als., to be given by the Commissioners of Sale therein mentioned, has been duly executed and filed.

Teste:

!

N. P. YOUNG, Clerk.

The money paid to us by A. R. Vellins having been furnished to him James J. Beale, and the said A. R. Vellins having requested us to procure the order and return of this court - to have the said made to the said James J. Beale we herewith report to the court the request of the parties which was given on the 4th of April and filed herein April 3rd 1887.

Respectfully submitted

R. S. Thomas

R. S. Thomas

Sp. Comm.

Vallins et al

v

Salmer et al et al

Refund of Sale to

R. E. Boykin &

R. J. Thomas

Spe Bins

under Decree of

April Term 1886

April term 1887

Confirmed by Court

at and before the door of the
 Court-House of the said County
 in Smithfield, at Hall's Store
 at Brimwells Bay, in the neigh-
 borhood of the property and at
~~numerous~~ many public
 places during the months of
 August and September to
 occur at Lord of Wright-Court-
 House on Monday October 4th
 1886 (that being Court-Day)
 When not receiving a suffi-
 cient bid they adjourned
 the sale to the ensuing Court-
 November 1st and again after
 notifying all the parties speci-
 ally interested again exposed
 the property to sale on the terms
 of the Deed when it was bid off
 by A. R. Vellins - the highest-
 bidder for the sum of \$600 -
 who has on to-day, (pre-
 ferring to pay the money to give
 me the bonds) paid over to us
 the said sum of 600.00
 And Interest from Novem-
 ber 1st 86 to April 20th 87 17.00
 making in all \$617.00

Vallines et al

Latimer et ux et al.

To the Hon C. W. Hill
Judge of the Circuit-Court
of Lee & Wright-County

The undersigned who were by
the decree of the Circuit-Court of
Lee & Wright-County made and
rendered at its ^{in the above entitled cause} April Term 1886,
appointed Special Commissioners
to see and that certain piece
and parcel of land lying and
being in the County of Lee & Wright
of which Martha A. Vallines
did seized and possessed contain-
ing (60) Sixty acres more or less
adjoining the land of E. P. Wimble
R. H. Pully and others in the full
and proceedings more particu-
larly described they leave
most respectfully to report-
that after giving the bond re-
quired by law they advertised
the sale of the said land by hand
bills conspicuously and numer-

Latimer & wife
vs { In chancery
Vellines et. al.

Petition or request
of A.R. Vellines
per chosen

Filed Sep. 5th 1884.

Test. J.P. Gonzales

I hereby request, authorize and
empower R.S. Thomas and R.E.
Baykin special court in the
suit of ~~Velliner~~ Lattimer & wife vs
Velliner et al. pending in the cir-
cuit court for Isle of Wight County
to make and execute a good
and sufficient deed for the lands
in the bill and proceedings
mentioned to James S. Beale
instead of to the undersigned
and I hereby request the Hon.
judge of the said cir. court to
decree accordingly. Given
under my hand and seal
this 4th day of April 1887

A.R. Velliner 

4 April - Virginia

87 -

County of Isle of Wight, to wit:

I, W.S. Holland a
Notary Public in and for the County of Isle
of Wight in the State of Virginia do certify that
A.R. Velliner came before me in my said
County and acknowledged the above writ-
ting to which his name is signed. Given
under my hand this 4th day of April 1887

W.S. Holland
Notary Public

If not delivered in ten days, return to

W. S. HOLLAND,
Attorney at Law and Notary Public,
WINDSOR STATION, VA.

COURTS—Isle of Wight, Nansemond and South-
ampton counties.



Mr. R. S. Thomas

Atty. at Law

Smithfield
In. York Co. N.C.

OFFICE OF

W. S. HOLLAND,

ATTORNEY AT LAW AND NOTARY PUBLIC.

COURTS:

ISLE OF WIGHT, SOUTHAMPTON, NANSEMOND,
AND ADJOINING COUNTIES.

Windsor Station, Isle of Wight Co., Va.,

April 18th, 1887

Mr. R. S. Lamos

Dear Sir,

Enclosed find a
check for Beale for \$518 an
Yellies land. I will pay you bal.
on Wednesday.

Very truly

W. S. Holland

In the Circuit Court of Isle of Wight
County, April 21st. 1887.

Vellines et al.

Pliffs -

v. 3 In Chancery.

Latimer et al.

Defts -

This cause came on this day to be
again heard on the papers formerly
read and on the report of Sale of R.
E. Boykin and R. S. Thomas special
commissioners of sale under the decree
made of the April term 1886, to which
no exceptions are filed, on the petition
of R. R. Vellines filed April 3rd 1887,
and was argued by counsel. On
consideration whereof the Court con-
firming the said report doth ad-
judge order and decree that one of
the commissioners of this Court report
to a future term of this Court (1) the
date of the death of Abraham Vel-
lines and (2) who have occupied
the land since the date of the
death of the said Abraham Vellines
up to the day of sale and during the
month of December 1886; And the
Court doth further adjudge order
and decree that R. E. Boykin and
R. S. Thomas who are hereby ap-

pointed special commissioners for
the purpose do at the instance and
request of A. R. Vellius as shown by
his petition filed herein April 5th 1887.
make to James I. Blake a good and
sufficient deed in fee with special
warranty for the tract of land sold
by them as special commissioners
described as all that certain piece
or parcel of land lying and being
in the said County of which Martha
A. Vellius did seized and possessed
containing (60) sixty acres more or less
adjoining the lands of E. P. H. Noble
and others. And upon the counsel
of parties given in open court and
entered of record it is ordered and
decreed that this cause be further
heard in vacation.

a copy

Teste

J. D. Gorman cll.

Vellines etas. ^{G. 113.}

v. J. Du chey

Laticus etus etas

Copy Deeree
April term 1887

acty

Vellmes et-al

v

Lahmer et-al et-al

The under
signed have the honor to report-
that having received ^{the amount} reported
by them, ^{in their} last-report- During
the last session of this court-
that they did not have the op-
portunity of paying the
costs that had accrued prior
to and on the day of sale:
that they have paid off those
and such as have accrued since
the said sale as will appear
by document- "A" herewith
filed as a part of this report
showing the amount received
the amount paid, the receipts
of the parties and the balance
due, which was deposited
in the Farmers & Merchants
Savings Bank, & with filed to
the credit of themselves as spe-
cial Commissioners in this
suit- as will be seen from the
certificate of the Cashier here-
to attached. The undersigned

for the report - that they made
the deed to James I Beeler
for the Vealies Tract of land as
they were directed to do by the
Deem herein of the April Term
1887 of this court.

Respectfully submitted

~~R. S. Thomas~~

R. S. Thomas

Spencer

May 17th 1887

Received July 16th 1888 of A. P. Young clerk the certificate
of deposit of the F & M. S. Bond for \$407.15 dated May 27th
or filed with this report.

R. S. Dyer & Son
R. S. Dyer & Son

Vellines
✓
Lalmer

Report of
R. E. Boykin &
R. S. Dyer
the bonds
under the Decree
of April 1887

Filed April 20. 1888

"April Term 1888.
Confirmed by Court.

18

We the undersigned have each and severally
received from R. E. Boykin and R. S. Thomas
as special commissioners in the suit of
Vellmes et al v Latimer & wife and others
the sum set opposite in respective names
as of the 17th day of May A.D. 1887

✓ R. E. Boykin & R. S. Thomas for as allowed Paid R. E. Boykin	100 00
✓ Writ tax & atty for Paid R. E. Boykin	16 50
A. P. Young, clerk Paid A. P. Young	15 26
✓ L. B. Edwards' admn, P. R. E. Boykin admn	2 00
R. A. Edwards shff Pd to A. Edwards shff	5 00
A. P. Young bank Paid A. P. Young	16 00
C. H. Hart - Com ^r of Public P ^y Pd C. H. Hart	2 00
R. H. Pullen " " Paid R. S. Thomas	2 00
A. J. Edwards " " Paid R. S. Thomas	2 00
J. F. Whitley " " Paid John F. Whitley	2 00
C. H. Hart - notary Pd C. H. Hart	75
J. W. Lawrence, wit	50
L. P. Roberts - paid L. P. Roberts	50
A. B. Edwards " Pd A. B. Edwards - prob, ac	50
W. J. Kelms notary Pd W. J. Kelms	2 50
J. M. Juran	50
J. D. Staff	50
R. H. Pullen	50
E. P. Wmble Paid E. P. Wmble	50
M. J. Vellmes Paid R. S. Thomas	50
J. W. Bancroft - paid R. S. Thomas	1 50
R. A. Edwards anct ^r Pd A. Edwards anct ^r	5 00
✓ R. E. Boykin & R. S. Thomas Com ^r R. E. Boykin	21 34

Brought over	203 85-
✓ Same for Dad	5 00
✓ R. T. & husband notary Phila	1 00
	209 85

Amount of Purchase money	617 00
--------------------------	--------

Balance due and deposited in
The Farmers & Merchants
Savings Bank Smithfield Va
as per certificate of Cashier

	407 15-
617 00	617 00

Folio

P. O. Box, 554.
Telephone, 163.

Norfolk, Va.

Aug 7th 1886.



R. E. Boykin to S. Thomas Special Commission

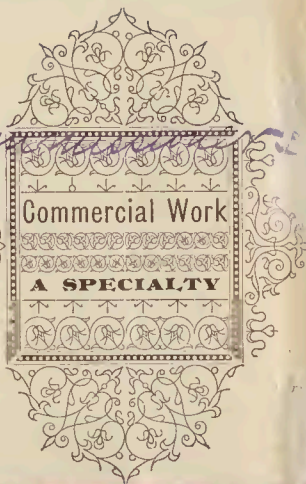
TO JOHN W. BARCROFT DR.

PUBLISHER

Book & Job Printer & Binder.

OFFICE: 83 MAIN STREET.

Plain and Fancy Printing, in one or more Colors, Neatly Executed.



*July 24 To 75 Notices of Sale of the
Land of Martha A. Villines \$1.50
Paid John W. Barcroft
per cash*

Commissarys Office, Isle of Wight County.

August 9th 1887.

To the Circuit Court of Isle of Wight County.

Pursuant to the decrees of the said Court, rendered at the April term 1887, in a suit in Chancery then pending, wherein W. E. Villines et als. are plaintiffs, and Richard H. Williams and Chas. H. Williams wife, Maude J. Villines et als. defendants, requiring one of the magistrates of the said Court to ascertain and report to the Court first, the date of the death of Abraham Villines. Second - who occupied the land in proceedings mentioned being the land whereof Martha E. Villines died seized and possessed, from the date of the death of said Abraham Villines until it was sold. Your Commissioner reports to the Court that he issued notices to the parties, plaintiffs and defendants, that he had fixed upon the day of 1887, to make the inquiries and report required by said decrees, and requiring them to attend at his office, the service of which said notice was duly acknowledged by the counsel of the plaintiffs and defendants. That on the day so fixed upon, in the absence of the necessary evidence, your Commissioner continued the matter until the date of this report, when, upon the evidence before him, your Commissioner has ascertained, and so reports, that the said Abraham Villines died, on the second day of May, 1881. And that the said land was occupied by W. E. Villines

and A. R. Vellies jointly, from the death
Abraham Vellies until the 31st December
1885, and from the latter date to the day of
sale of said, it was occupied solely by
the said A. R. Vellies.

At the request of the parties, plaintiffs and
defendants, and from evidence adduced,
your Commissioner has made the following
account of fees upon the shares of parties
interested in the partition of the proceeds
of sale of the said land of the said Martha
J. Vellies. To wit:

A judgment in favor of J. C. Young executor of
George W. Carroll decd. rendered in the Circuit
Court of the State of North Carolina on 22nd day of April
1887, and docketed on the 2nd day of October
1887 against William E. Vellies, Abraham
R. Vellies and Marsden J. Vellies for \$150.00
Interest thereon from the 1st day of January
1877 till the 9th day of August 1887. \$ 98.50
Costs of suit & subsequent executions 11.18
\$ 256.68

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

Dear Sirs.

J. C. Young Comr.

Commiss. fee 4.00

Att. fee for evidence .50

Shff. fee 1.00

Cert. & fees Comr. 6.10

Vallieres et als.
vs. $\frac{3}{4}$ In Chap.
Latimer wife et als.

Report of Court. Young
under decree of April
term 1887.

Filed 9th Aug. 1887.

April term 1888.
Confirmed by Court.

"B"

Amount due on the Judgment of N.P.
 Henry Executor of George T. Carver
 on his report of August 9th 1887
 filed in the Court 256 68

Interest on \$150 - principal
 from August 9th 1887 to
 July 16th 88

8 43 265.11

By amount paid in of A

137 94
 127 17

1/2	due A. R. Vellmes	39 52
1/2	" W. E. Vellmes	39 52
1/2	" M. J. Vellmes	39 52
1	above as assignees of B.	
	R. Vellmes	18 61

128.17

C

We the undersigned have each and severally received of R. S. Thomas & R. E. Boykin Special Commissioners in the Court of Vellmes et al v. Latimer & Wife the amount set apart to each of our names respectively

N. P. Henry clerk	Paid, N. P. Henry	2 90
N. P. Henry Exor	Paid, N. P. Henry	137 94
N. P. Henry Exor	Paid, N. P. Henry	127 17
Sallie A. Latimer for R. S. Thomas atty		39 52 1/2
Mary E. Swatney " R. S. Thomas atty		39 52 1/2
Benton R. Vellmes' assignees R. E. Boykin		29 91 1/2
George T. Vellmes R. E. Boykin		19 76 1/2
Martha T. Vellmes R. E. Boykin		19 76 1/2
R. H. Pulley Per R. S. Thomas atty		6 13
		<u>423 65</u>

A.

21 amount in Bank May 27			
1887 as per certificate of de			
posit - reported April Decm 1888	407	15	
Interest on same as calculated			
and allowed by bank	16	50	423 65
By credit as taxed on same			<u>2 90</u>
			420 75

Amount due Martha A. Vel			
lines' Estate to Wm E. Vellines			
to be paid over to N. P. Garry			
Executor as per Decm	122	38	
Interest on \$44.93 paid by			
the same from Decm 20 1887			
to July 16 1888. 2. 8 26	<u>15</u>	<u>56</u>	<u>137 94</u>
			282 81

Amount due R. H. Pully as			
per same record	5	50	
Interest on same to July 16 1888	<u>63</u>	<u>6</u>	<u>13</u>
			276 68

1/7	to	W. E. Vellines	39	52 1/2	
1/7	"	A. R. Vellines	39	52 1/2	
1/7	"	M. J. Vellines	39	52 1/2	
1/7	"	Sallie A. Latimer	39	52 1/2	
1/7	"	Mary E. Swadlow	39	52 1/2	
1/7	"	Benton H. Vellines	39	52 1/2	
1/7	{	George J. Vellines	19	76 1/2	
1/7	{	Martha J. Vellines	<u>19</u>	<u>76 1/2</u>	<u>276 68</u>

A.

To Amount in Bank May 27 th 1887			
as per certificate of Deposit -			
repaid April Term 1888	407	15	
Interest on same as calculated			
and allowed by Bank	<u>16</u>	<u>50</u>	423 65

By amount paid over to A. P. Gurney			
Exor of George Barrow as per			
Deed of April Term 1888	122	38	
Interest on \$94.93 part of the			
same from Oct 20 th 1885 to			
July 16 th 1888. 24 ^{mo} 8. 26 ^{mo}	<u>15</u>	<u>56</u>	
	<u>137</u>	<u>94</u>	

By amount paid over to R. H. Pelly			
as per same deed	5	50	
Interest on same from same to same	<u>6</u>	<u>13</u>	

137.94
613
14407

6	13	<u>144 07</u>
		279 58

Fullmer et-al

v

Salmon & wife & others

To the Hon. C. W. Hill

Judge of the Circuit Court in
Chancery sitting:

we the undersigned have the honor to report - that we did on this 17th day of July A. D. 1882 extract from the papers in this suit - the certificate of deposit of \$407.15 made by Farmers & Merchants Savings Bank May 17th 1887 and \$16.50 interest on the same and that after having paid thereout the sum of \$2.90 unpaid costs we paid to N. P. Gurney as Executor of George Carroll the sum of \$137.94 and to R. H. Puley the sum of \$6.13 as directed by the decree of April 1888 and after having done so, we divided the balance into seven equal parts and paid over the same as the said decree directed as will appear from a copy of the said decree and statement - "A" hereto attached as a part of this report - showing the amounts to which the parties were respectively entitled and their receipts for the same

Respectfully submitted

R. E. Boykin

R. S. Thomas
Attorneys

July 17th 1882

Vellins et al

v

Lalmer et al et al

Report of

R. E. Boykin &

R. S. Holmes

the Comrs

of payments under
Decree of April 1888

Filed Oct. 20th 1888

In the Circuit Court of Isle of Wight
County April Term 1882

Wm E Villines, Plaintiff
vs
Benton H Villines
and Marsden J Villines ——— Pltffs.
vs

R. H. Saturn & Sarah A his wife vs R
Gwaltney & Mary E, his wife, A R Villines
and Annie his wife, vs J Villines
and Martha J Villines (the last are infant
under twenty one years ——— Defts.

————— This cause came on this day
to be heard on the ~~original~~ Bill taken
for compound as to the Adult defendants,
the Answer of infant defendant by
N. P. Young her guardian ad litem
with application there to, and was argued
by counsel — On consideration whereof,
the Court doth ^{adversely order & charge} ~~order~~ that Edw Hart
W. A. Womble R. H. Puller A. J. Edwards
& Geo. F. Whalley who are hereby ap-
pointed commissioners for the
purpose (any three of whom may
act) having been first duly sworn,
do proceed to value, lay off and divide
the real estate, of which Martha A
Villines died seized and possessed,
consisting of acres more
Isle of Wight Co H and adjoining the

lands of E. P. Womble R. H. Pulley and others,
into seven equal parts, and one of the
said parts into two equal parts, ^{so that} ~~between~~
Geo. Y. Villiers & his sister, Martha Y.
Villiers who are only entitled to one
half of one seventh may be enabled
to draw or have drawn by the guardian
ad litem three parts and the other par-
ties entitled thereto, namely, Wm. C.
Villiers, Benton H. Villiers Marsdon
J. Villiers, Abram R. Villiers and Sallie
A. Salmer wife of R. H. Salmer, and
Mary E. Gwaltney wife of J. R. Gwaltney
may draw their parts. But if the
said Commrs. should find it ~~impracticable~~
impracticable ^{to} divide the said land
amongst the aforesaid parties, or
* should be of opinion that the inter-
est of the said parties would be more
promoted by a sale of the same, in
such case they are required to report
the facts upon which their opinion
is based, to the Court, and also what
in their opinion is the fee-simple
value of the said real estate of which
the said Martha A. Villiers did seized
and possessed and in either case they are
required to report their proceedings to
the Court.

* or that no one of them
will take the sum of the
valuation, or

Tullius Wm E. 801

V. } Decree
for
Partition
R. A. Satimer 801

April Term 1882

To be entered

Geo. B. B. J.

Entered
19

William H. Hall
J. D. Hughes
Lafayetteville, N.C.

This cause came on
this day to be again heard on the papers
formerly read and on the report of
R. H. Peltier, J. D. Edwards, John H. Hatcher
and J. H. Hays, four of the court of
charities appointed by the decree in
this cause of the 11th of June 1882. Held
Jan 15th 1883. and was argued by
counsel on consideration of
the court confirming said report and
the valuation of the land therein men-
tioned to which no objection was
made. And do hereby order and
decree that R. H. Peltier, J. D. Edwards,
John H. Hatcher and J. H. Hays, four of the court of
charities, be and they are authorized to
sell the land therein mentioned and
pay therefor to the other parties such
sum of money as this interest therein
may entitle them to, at the sum of
one thousand dollars the valuation
fixed upon the land by said
court in their said report; allowing the
said R. H. Peltier and J. D. Edwards in
such collection credit for 2/3 of said
valuation of \$1000⁰⁰, paid 3/7 being the
interest of the said R. H. Peltier and J. D. Edwards

Wells in their own right and as pur-
chasers of the interest of Benton & Co.
Wells, which it appears by the deed
of the said Benton & Co. Wells & Co. in
this cause has been conveyed to the
said M. Wells & A. Wells since the
institution of this suit; and the court
after further advice order and decree
that the said A. B. Boykin come as afore-
said after collecting said sums, first
pay $\frac{1}{4}$ of the costs of this suit, the
residue of said costs to be paid
to the said M. Wells and A. Wells,
and distribute the balance as follows,
to M. Wells $\frac{1}{4}$, to Fannie A. Wells
wife of Richd. A. Wells $\frac{1}{4}$, to Mary C.
Wells wife of John R. Wells $\frac{1}{4}$,
they being children of Martha A. Wells
and to George C. Wells and Martha
C. Wells each $\frac{1}{4}$ of said balance, they
being grand children of the said Mar-
tha A. Wells, having the portion due
the said Geo. C. and Martha C. Wells
to their guardian in trust, and if none
deposits the same in

to their credit respectively, subject to the
future order of the court herein. And
the said A. B. Boykin come as afore-
said is further ordered upon the payment
in full of the said sums directed to be
collected, subject to the order of the court

To execute & deliver
a good and sufficient deed in fee
simple with special warranty for the
interest of the said Mr & Mrs John
& Catherine wife of John H. Salmons
formerly of Maine, George H. Salmons &
Martha H. Salmons in the real estate
whereof Martha H. Salmons deceased
and her estate in said deed, contain-
ing an estimation of acreage more or less
adjoining the lands of E. H. Moulton & H.
Parker & Co., and make report to court
of his proceedings under this decree.
But before the said E. H. Moulton shall
receive a copy of said deed, this decree
he shall present before the clerk of this
court in the clerk's office a map or
plan with sufficient certainty with a
majority of the townsmen in the town
of 1800th for a plan to be laid out
personally in said town and a copy
of the same given.

Willis

P. J. Ingham

Latimore & Co.

Rough Draft

Apr. Term 1883

As Entered

Geo. Brown.

Entered 34

Villiers et al.

vs.

$\frac{1}{3}$ In chq.

Sutton, Sheriff et al.

This cause came on this day to be again
heard on the papers formerly read and
on the report of R. B. Bailey, Esq. Attorney,
John H. Whiting and C. B. Black for of
the counsel of partition appointed by
a decree in this cause at the April Term
1853, and filed on 15th day of June 1853.
and was argued by counsel: On con-
sideration whereof, the court doth assign
order and decree, that the said report
+ and the valuation of the land by the said
to which the said valuation has been filed,
be confirmed, and that R. B. Bailey
who is hereby appointed a commissioner
for that purpose, proceed to collect
from W. E. Villiers & A. R. Villiers, the
two parties in interest, who, it appears by
the said report, are willing to accept
the entire subject ^{for} and then for to the
other parties such sums of money as their
interest therein, ^{may} entitle them to, the sum
of one thousand dollars the valuation
fixed upon the entire subject by the
court in their said report, allowing to
said W. E. Villiers and A. R. Villiers in
such collection credit for 3/4 of said

valuation of \$1000.00 said by being the
intent of said W. E. Vellian, & A. R. Vellian
respectively, and their joint intent as partners
of the intent of Benton H. Vellian, which
it appears by the deed of said Benton H.
Vellian, Wife, filed in the cause, has
been conveyed to said W. E. Vellian & A. R.
Vellian since the institution of this suit.
And the said R. E. Brykine as com-
missioner, as provided in the order of the court,
to distribute
the amount of said valuation, as
follows, to M. J. Vellian one seventh;
to Sallie A. Latham wife of
Rich. H. Latham one seventh, to Mary
E. Groatly wife of Jas. R. Groatly one
seventh, they being children - And to George
T. Vellian and Martha T. Vellian, each
one fourth of said valuation, they
being grand children of said Martha A.
Vellian, and paying the portion due
to the said Geo. T. and Martha T. Vellian
to their legally qualified guardian if
any, And if none, deposit the same
in
to their guardian, ^{subject to} subject to the future order
of the court. And the said R. E. Brykine
commissioner, as aforesaid as further order
of the court, upon the payment in whole of

subject to the order of the court,
of the amount herein directed to be paid,
to make to the said William E. Vellian
and Abraham R. Vellian a good and suf-
ficient discharge for simple, with special
accounting for the interest of the said
M. J. Vellian, Sallie A. Latham wife
of Rich. H. Latham, Mary E. Groatly wife
of Jas. R. Groatly, George T. Vellian, & Martha T.
Vellian in the real estate return of the
said Martha A. Vellian, and under and
before D. consisting of a tract of 70
acres, more or less, lying adjacent
to the land of E. P. Womble, W. P. Pullen
Jr. in the said county of Lee, Georgia.
And make report of his proceedings under
the decree of the court. But before the
said account R. E. Brykine, shall receive
any money under this decree he shall deposit
in the Clerk's office before the Clerk of the
court a bond with sufficient surety (with
consent of the probator, in the sum of
\$1000.00) with and to the probator for
form his duties under this decree or
any future decree herein.

Teller
on $\frac{3}{4}$ day
Saturday night
1

At the request of
Major G. A. Smith I
have for four days
traveled down to
the mouth of the
R. R. River in
the morning & then
to office to catch it.
This is about all
I can do for you.
The first of the
M. B. roll of
concessions is
in the A. P. C.

Vellmes et-al

v

Salmer et-al

This cause came on this day to be again heard on the papers formerly read and on the petition of M. J. Vellmes and was argued by counsel. On consideration whereof the court doth adjudge order and decree that Wm E. Vellmes and Abraham R. Vellmes be summoned to answer the said petition.

Vallines et al

v

Latimer et al

Rumpf Decem

October Decem 1883

To be entered

Wm E. & A. R. Vellines &
Sum named to receive the portion of
Mauden J. Vellines

Vellines et al
v

Lalmer et al

This cause came on this day to
be again heard on the papers formerly read
and the petition of Mauden J. Vellines
this day filed by leave of the Court and
was argued by counsel: On consideration
whereof the Court doth adjudge, order
and decree that ~~so much of the report of~~
~~R. H. Paddy, A. L. Edwards Esq. F. Whitley~~
~~and C. H. Hunt as relates and assigns the~~
~~real estate in the bill and proceedings~~
~~mentioned to W. E. Vellines and A. R.~~
~~Vellines as one thousand dollars be an-~~
~~nulled and set aside both as to the as-~~
~~signment to them the said W. E. & A. R.~~
~~Vellines and as the valuation aforesaid~~
~~and the Court doth further adjudge order~~
~~and decree that the decree herein of~~
~~April Term 1883 directing the collec-~~
~~tion of the said sum of one thousand dollars~~
~~up 3/4 of the same and the distribution~~
~~thereof, and the making of a deed to the~~
~~said W. E. & A. R. Vellines as is in the~~
~~said decree mentioned and described~~
~~be annulled and set aside, and the~~
~~Court doth further adjudge order and decree~~
~~that R. E. Boykin and R. S. Thomas~~
~~be and keep the~~
~~books and hereby is appointed as receivers~~
~~in that purpose to proceed after~~

~~having advertised the time, place and terms
of sale by printed notice posted at the
door of the Court-house of this county
on some day prior to the day of sale and
at other convenient public places
in the said County to see the real estate
in the Bill and proceedings mentioned
of which Martha A. Villines Decedent
is and was as public auction
in front of the Court-house of this County
on some Court-Day upon the following
terms viz,~~

~~taking from the purchaser bond with good
personal security for the deferred pay-
ments with a waiver of the homestead
and such interest in the deferred pay-
ments from the day of sale and the title
to be retained till the further order of the
Court. And the said Commissioners
will report their proceedings hereunder
to the Court. But the said Commissioners
shall not receive any money from the
purchaser at and sale, and under this decree
they shall enter and bond with
sufficient security in the clerk's office
of this Court payable to the commonwealth
of Virginia in the penalty of Two Thousand~~

- ~~Said Vellins considered for the full and
discharge of their duties as such com-
missioners under this & any future
deem here and the Court doth
and the Court doth~~
for their advice, order and deem that
one of the commissioners of this Court-
report to a future term of this Court
- 1 The day of the death of the said Martha
A. Vellins,
 - 2 The day of the death of her husband
Abraham Vellins
 - 3 The ^{of any} ~~will~~ that the said W. E. & A.
R. Vellins was to pay to the said
A. Vellins their father for the tract
of land in the Bill and proceedings
mentioned & if there was no agreement
for and as rent what they ought to pay
per annum
for the use and occupation of the said
piece & parcel of land after the death
of their mother & during the lifetime
of their father
 - 4 What they ought to pay per annum
for the use and occupation of the
said land since the death of their
father and
 - 5 Any other matter deemed pertinent
by him, or required by either of the par-
ties to be so stated

Valines et al

v.

Latimer et al

Rough Decree

October Term 1883

To be entered.

Lalimona
✓ { On Chey
Vellines

Rough sketch
Oct term 1884
To be entered.

Geo. T. Brown

Entered No. 30.

Lanning et als
v J. D. Chey
Vellines

on motion of parties
in open court it is ordered
that this suit be made a
vacation cause.

Vallines et al

Salmon et al

This cause came on this day, to be heard on
the two papers formerly read, on the Petition
of Mr. J. Vallines filed April 20th 1883 on
the depositions filed herein April 17th 1884
and was argued by counsel. On considera-
tion whereof the Court - sitting and all
of the proceedings since the filing of the two
orders adjudged upon and deem that
one of the commissioners of this court -
report to a future term of this Court - which
location can be conveniently made
of the real estate ~~belonging to~~ of which
Martha A. Vallines died seized & bequeathed
consisting of acres near Deepwater
Court house adjoining the lands of E. P.
Wemble, R. H. Puley et al - and of part
of the entire subject - can be allotted to any
party who will accept it & pay therefor
to the other parties such sums of money as
their interest therein may entitle them to
or if the interest of them entitled to the subject-
its proceeds will be promoted by a sale
of the entire subject - a allotment of part &
sale of the residue, and the Court - doth
for the adjudged order and deem that

to said commissioners take & report
 to Court (1) the amount and the simple
 value of the said tract of land (2) the
 debts of any due by Martha A. Vellins
 (3) the debts of any due by Abram Vellins
 (4) What ^{was} is a further rent for the place
 in during the life time of Abram Vellins
 lines (5) what ^{is} a further charge
 for the board of the said A. Vellins
 together with any other matters deem
 ed just and necessary by himself or required
 by either of the parties to be so stated.

Vellins et al

v

Salmon et al

Per Jo Deen

April Term 1885

To be entered

Geo. F. Blows.



Entered # 25



In the Circuit Court of Isle of Wight
County, the 2nd day of April 1885.

Vellies et al. } Plffs.
vs. } In chancery
Lutimer et al. } Defts.

This cause came on this day to
be heard on the papers formerly read,
on the Petition of M. J. Vellies, filed
April 20th 1883, on the Depositions
taken April 17th 1884, and was argued
by counsel. On consideration, when of
the Court setting aside all of the pro-
ceedings since the filing of the Bill,
with adjudge order and decree that
one of the Commissioners of this Court
report to a future Term of this Court,
whether partition can be conveniently
made of the real estate of which Martha
A. Vellies died seized and possessed,
consisting of 50 acres near Isle of
Wight Court House, adjoining the lands
of E. P. Humble W. H. Pullay et al. and if
not, if the entire subject be allocated
to any party who will accept it and
pay therefor to the other parties
such sums of money as their advisors
therein may advise them to, or if the

interest of those entitled to the subject
or its proceeds will be promoted by a sale
of the entire subject, or of allotment of
part and sale of the residue, and the
Court doth further adjudge order and
decree that the said Commissioner take
and report to Court (1) The amount and
fee simple value of the said tract of land
(2) the debts, if any, due by Martha A. Vellies,
(3) the debts, if any, due by Abram Vellies,
(4) what was a proper use for the place
during the life time of Abram Vellies,
(5) What if any is a proper charge for the
burial of the said A. Vellies together
with any other matter deemed pertinent
by himself or required by either of the
parties to be so stated.

a copy
Teste,

A. D. Young clk

Tellurium et al.

vs. $\frac{3}{4}$ Du choy
Lactum et al.

" Copy Decem
April Term 1885.
=

$\frac{3}{4}$
For accts.

Dec 24. 1885. O'Brien
is paid to 24th July 85.

Jan 24. 1885. O'Brien 1/2
8 hours

July 24. 5 hours

Aug. 24. 8 hours

Vellins et. als

v

Lalmer et. ux et. als.

This cause came on this day to be again heard on the papers formerly read and on the report- Commissioner N. P. Young made under order hereof of the April Term 1885 and filed herein August-24th 1885 to which no exceptions are filed and was argued by Amore. On consideration whereof, the Court-Confirming the said order report- doth adjudge order and decree ~~that~~ ^{that} R. E. Thomas and R. E. Boxkin and R. S. Thomas who are hereby appointed special commissioners for that purpose do proceed after having advertised the time, place, and terms of sale before the door of the Court-House of this county in some court-day prior to the sale and at other public places in the county to sell the real estate in the bill and proceedings mentioned of which Martha A. Vellins died seized and possessed consisting of six acres adjoining the lands of E. P. Wendle R. H. Pulley & others for enough cash to pay costs of suit- and sale inclusive of an attorney's fee ~~of one hundred dollars~~ ^{one hundred dollars} ~~of one hundred dollars~~

leave the said R. E. Boykin and R. S. Thomas
 for their services in this suit - and the
 balance on a credit - of One and two years
 taking from the purchase bond.
 with good security with a waiver
 of the husband's note interest - from
 the day of sale payable to themselves
 as said commissioners. But -
 the sale shall be suspended until
 the said commissioners
 enter into bond in the clerk's office
 before the clerk of this Court - with
 good security - in the penalty of
 Two thousand Dollars conditioned
 according to law for the faithful
 performance of their duties under
 this decree

Vallins et al

v

Vallins et al - als

Per s^h Decem

24 November 1886

To be in hand

Geo. B. Snow.

70 Exhired 1886. 35.

Vellmes et-als
v

Lalmer et-ux et-als

This Cause

Came on this day a hearing
heard on the papers formerly
read and on the report of sale
by R. E. Boykin and R. S. Thomas
Special Commissioners of sale
under the Decree herein of the
April Term 1886 to which ^{on the petition of A. R. Vellmes filed April 5th 1887} exceptions are filed and was
argued by Counsel: On consid-
eration whereof the Court con-
firming the said report and
adjudge, order and Decree that
one of the Commissioners of this
Court report to a future term
of this Court - (1) the date of the
death of Abraham ^{ham} Vellmes and
(2) who have occupied the
land since the date of the death
of the said Abraham Vellmes
up to the day of sale and during
the month of December 1886;
and the Court doth further adjudge, order
and Decree that R. E. Boykin and R.
S. Thomas ^{who are hereby appointed Special Commissioners} at the instance and request

for the purpose of

Vellmes et al

v

Lathrop et al

Deceit

April Term 1887

To be entered

C. M. Hall

J. A. R. Vellmes as shown by his petition filed herein April 5th 1887 made to James J. Bealer a poor and sufficient deed in fee with special warranty for the tract of land sold by them as special benevolence described as all that certain piece and parcel of land lying and being in the said county of which Martha A. Vellmes died seized and possessed containing (60) sixty acres more or less adjoining the lands of E. P. Wampler, R. H. Pully and others.

And upon the consent of parties given in open court and entered of record it is ordered and decreed that this cause be ^{further} heard in vacation

Entered

No. 31

Vellius et. al

v

Lalman et. ux

This cause comes
this day to be again heard on the papers
formerly read and on the report of R. E.
Bozkin and R. S. Thomas special com-
missioners dated May 17th 1887 and
filed here on the 20 day of April
1888 and on the report of N. P. Young
Commissioner dated and filed August-
9th 1887 to which reports no exceptions
are filed and was argued by counsel;
On consideration whereof the court
with advice, order and decree that R.
E. Bozkin and R. S. Thomas special
com missioners as aforesaid withdraw
from the papers in this suit, on leaving
their receipt therefor with the clerk
of this court the certificate of the Deposit
with the Farmers & Merchants Sa-
ving Bank Smithfield of \$407.15
dated May 27th 1887 and collect-
the same and all interest thereon
and after paying thereout the un-
paid costs of this suit pay the debt
of ~~the~~ ^{the} ~~plaintiff~~ ^{plaintiff} ~~Martha A.~~ ^{Martha A.}
Vellius of \$122.38 one hundred and twenty
two dollars and thirty eight cents with
interest on \$94.93 Ninety four dollars
and ninety two cents paid thereof
from the 20th day of October 1885 to date

reported to be due
to Wm E. Vellmes in Com mis sumers
Yours report of August - 24th 1884
over to St. P. Young Executor of George
W. Carroll on his judgment against
Wm E. Vellmes, Abraham R. Vellmes
and Mauden J. Vellmes reported in
the report of Com mis sumers Young
of August - 9th 1887, ^{to R. H. Pully} and five
dollars and fifty cents with interest
on then dollars and eighty five cents
paid thereof from October 20th 1885 be
paid and then divide the balance
into seven parts and pay over the one
seventh part due to Wm E. Vellmes
A. R. Vellmes and Mauden J. Vel-
lmes each, separately, and respectively
to the said St. P. Young executor of
George W. Carroll on the judgment
aforesaid and one seventh to Sallie
A. Latimer the wife of Richard H. Lati-
mer, one seventh to Mary E. Swallow
the wife of John R. Swallow and one
seventh to Benton H. Vellmes or his
assignees and one seventh jointly to
George J. Vellmes and Mauden J. Vellmes
the children of Thomas Vellmes decen-
ed taking the receipts of the parties
on the payments made to them and
return the same to Court with a report
of their proceedings under this Decree

Vallner et al

v

Salmer et al et al

Rough Decm

April June 1888

To be entered

on Hill

Entered # 3.

In the Court of the City of New York
In the Matter of the Estate of the
Late John A. Vellies

April term 1888.

Vellies et al.

Plffs

v.

In Chancery

Gatner et al.

Defts.

This cause came on this day to be again heard on the papers formerly read and on the report of R. E. Boykin and R. S. Thomas Special Commissioners dated May 17th 1887, and filed herein on the 20th day of April 1888, and on the report of A. P. Young Commissioner dated and filed August 9th 1887, to which reports no exceptions are filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that R. E. Boykin and R. S. Thomas Special Commissioners as aforesaid withdraw from the papers in this suit on leaving their receipt therefor with the Clerk of this Court the Certificate of the deposit with the Farmers Merchants Savings Bank of Smithfield of \$407.¹⁵ dated May 27th 1887, and collect the same and all interest thereon and after paying thereon the unpaid costs of this suit pay the debt — Martha A. Vellies of \$122.³⁸ One Hundred and twenty two dollars and thirty eight

unto with interest on \$94. 93 Ninety
four dollars, and ninety three cents
paid thereof from the 26th day of Octo-
ber 1885, till paid, reported to be due to
Wm E. Vellies in Commissioner Young's
report of August 24th 1884, over to N.P.
Young executor of Geny H. Carrace on his
judgment against Wm E. Vellies, Abraham
R. Vellies and Marsden J. Vellies reported
in the report of Commissioner Young of
August 9th 1887, and to R. N. Kelley five
dollars and fifty cents, with interest on
Three Dollars and eighty four cents paid
thereof from October 20th 1885, till paid,
and then divide the balance into seven
parts and pay over the one seventh part
due to Wm E. Vellies, A. R. Vellies and
Marsden J. Vellies each, separately and
respectively to the said N.P. Young Executor
of Geny H. Carrace on the judgment afore-
said, and one seventh to Alice N. Latimer
the wife of Richard N. Latimer, one seventh
to Mary E. Grattney the wife of John R.
Grattney, one seventh to Benton N. Vel-
lies or his assigns, and one seventh joint-
ly to George T. Vellies and Martha T.
Vellies the children of Thomas Vellies
decd. taking the receipts of the parties

for the payment made to them and
return the same to Court with a re-
port of their proceedings under this
decree.

A copy:

Test:-

Unpaid fees to Clerk, H. P. Young, clk.
\$2.90

Vellumis Et al.

v. { In Chey.

Latimer Et al. Et al.

Copy Decree
Apr. term 1888.

Thomas & Boykin
Coun.

Veelmaier et al

v

Lalmer et al. Mex et al

This cause
came on this day & he again heard
on the papers formerly read and on the
report of R. S. Thomas and R. E. Boylston
of payments made under decree herein
of April Term 1888 filed herein
Oct 20th 1888 and to which no
exceptions are ^{filed} and was argued by
counsel: on consideration whereof
the court doth confirm the said
report, and nothing further remain-
ing to be done in this cause: doth
order and decree that it be ~~dismissed~~
-en from the docket-

Vallines et al

✓

Salmer et ux et al

Rough Decree

October 25th 1888

to be entered

C. J. J. J.

Final

Entered 17

~~Entered & decreed~~

~~524~~
~~10.98~~
~~3.75~~
~~1.46~~
~~5.24~~
 10.98
 13.52
 4.00
 11.50

Of the clerk's fees taxed in each of said
 Villin's accounts, \$10.98 has been
 paid by W. E. Villin, & should be re-
 funded to him out of the costs in
 com. Thomas & 13 others, & -
 He has also paid \$13.52 of
 fees amounting to \$3.00 and to
 C. H. Hart & S. Fortson \$1.00

A. Villin, died 2^d May 1881.
 M. A. Villin, land was occupied by W. E.
 & C. K. Villin, jointly, from his death
 to 1st Jan. 1880, and from then by C. K. V.
 only.

Villains
as
Dated

Memor.

1. cost of depth
2. value of depth

Know all Men by these Presents, That we R. E. Boykin
and W. P. Young
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 7th day
of May in the year of our Lord, one thousand eight hundred and
eighty three. And we waive home ~~every~~ claim as to this debt

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 21st day of April
1883 in a cause depending in the said Court, in which W. E. Vallins
and others

are Plaintiff, and
R. H. Latimer & wife & others
are Defendant, the above bound R. E. Boykin
was appointed a special Commissioner to

was appointed a special Commissioner to collect
the moneys in the decree mentioned, and make
disposition thereof &c.

Now, if the above bound R. E. Boykin 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 }

R. E. Boykin (SEAL.)
W. P. Young (SEAL.)
(SEAL.)

Phillips & Carter, Printers.

In the Clerk's office of the Circuit Court of Isle of Wight County
the 7th day of May 1883. This bond was executed by the obligors
and acknowledged & admitted to record.

W. P. Young

W. P. Young

Vellins & als

vid { Course
Band

Latimer & wife & als

Commissioner's Office,

Isle of Wight Courthouse,

June 24th 1855.

To William C. Tellins, Benton H. Tellins and
Marsden J. Tellins

Plaintiffs,

And to Richard H. Latimer & family, his wife, John R.
Swaltney & Mary E. his wife, Abraham R. Tellins & Ann A.
his wife, George T. Tellins and Martha Tellins.
Lost two infants.

Defendants:

You are Hereby Notified that I have fixed upon the 24th day of July

next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle of my office,

~~aforsaid, the following accounts to ascertain report to court whether par-~~

tition can be conveniently made of the real estate of which
Martha A. Tellins did seized and possessed, consisting of
50 acres adjoining E. P. Womble, R. H. Pulling others; and if not,
if the entire subject be allotted to any party who will accept it
and pay therefor to the other parties such sum of money as their interest
therein may entitle them to, or if the interest of those entitled to the
subject or its proceeds will be promoted by a sale thereof, or an
allotment of a part and sale of the residue. And also to take the
following accounts - 1st. An account of the fee simple unencumbered value
of said land. 2nd. Of the debts, if any, due by said Martha A. Tellins.
3rd. The debts, if any, due by Abraham Tellins. 4th. What was a
proper credit for the same during the life time of Abraham Tellins.
5th. What, if any, is a proper charge for the board of said A. Tellins.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 21st day of

April

, 1855, 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. Spring

Commissioner.

Vallier 3 Comm.
to 3 notes

Saturn et al.

To 24th July 1885.

Received

of 24th July 1885.

A. J. C. 110325

1885

Commissioner's Office,

Isle of Wight Courthouse, July 18th 1887.

To Wm. E. Vellies, B. N. Vellies & M. J. Vellies

Plaintiffs,

And to R. N. Lattin & Sallie A. his wife; Jno. W. Gwaltney
& Mary E. his wife; A. W. Vellies, G. D. Vellies, Martha
J. Vellies

Defendants:

You are Hereby Notified that I have fixed upon the 28th 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~~:

Enquiry and account,
1st. The date of the death of Abraham Vellies;
2^d. who have occupied the land (of Martha
A. Vellies) since the death of said
Abraham Vellies up to the day of sale, and
during the month of Dec. 1886.

3^d. An account of any liens on the share
of any of the parties entitled to the said land
or the proceeds of sale thereof.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 21 day
of April, 1887, 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. D. Goring Commissioner

Vellicies et al.
v. $\frac{3}{4}$ In Chief.
Latimer et al.

Comme? Notice.

July 18. 1887.
notice given to the
28th July.

John. R. B. Baykin to do by
Sinner & Wilson to do by

We accept ~~notice~~ service of the within
notice, as counsel for both & draft.
R. S. Thomas for both.