1893-005 Chancery Causes: James Savage vs Oceanna C. Swaltney, admx of Madison Swaltney
Dale of Wright County et al

othee SURNAMES: Little,
Smith

Chancery Office

Smithfield March 5th 1890

J. James Le Savage Plaintiff

and

Seaman B Gwaltney and others as devisees in trust with the will annexed of Madison Gwaltney, James Gwaltney, Jason Little Margaret Smith and Christopher G Gwaltney, Georgia F Gwaltney, Grace F Gwaltney and Caroline E Gwaltney the last four infants under the ages of twenty one by George R Atkinson their next friend Defendants

You are hereby notified that I have fixed upon the 7th day of March 1890 at my office aforesaid to take the following accounts to wit, 1st An account of the debts due by and out standing against the estate of Madison Gwaltney deceased 2nd An account of the real estate of which the said Madison Gwaltney died seized and possessed, together with its present and annual value. 3rd An account of the transactions of Seaman B Gwaltney as devisee in trust of Madison Gwaltney deceased showing what amount of personal property of the said Madison Gwaltney went into his hands and what disposition has been made of the same, what amount has been sold by him and what proceeds, if any, and what is due by him to the estate of the said Madison Gwaltney, required to be taken by a decree of the Circuit Court of Isle of Wight county rendered on the 25th day of October 1889 in a chancery pending therein in which you are plaintiff and defendants at which time and place you are required to attend

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

Geo R Atkinson Comm

Savage folio

[illegible] folio

[illegible] folio

Expenses by Adjusting
a copy of deed Wood
to Rebecca C. Swallow
Journal Upgrading
Journal Entries
Miscarriage Sheet
cash to Cover Copy
of deed Certificate
Secretary of State
1st [illegible]

Fenton E. White
Asst
Fin Ob. C. Edwards
Supt.

I certify that the within
is a true R[illegible] of the
Original [illegible]

An abstract of Deed from N. P. Young + Comm^r to Madison Gwaltney. "Containing Two hundred and eighty four acres more or less lying in the county of Isle of Wight adjoining the lands of the estate of J. H. L. Cofer, Edwin Little, J. A Stallings and others on which said J. O. Cofer then resided, and composed of one piece of 50 acres including the dwelling, and one other piece of 234 acres make in all the 284 acres."

Teste,

N. P. Young Clk

Abstract showing
land of Madison
Grantham Deed.

32 31 30 29 28 27 26 25 24 23 22 21 20 19 18

Exhibit - "F"

Know all men by these presents, that I. Madison Gwaltney of the county of Isle of Wight and state of Virginia, considering the uncertainty of this life, and being of sound mind and memory, do make, declare and publish this my last will and testament.

After paying all my just debts, I give to Mrs Margaret Smith a room on the second floor in the house I now live in so long as she will take care and watch over my children.

I desire the executors who I shall hereafter name to sell all my personal property of whatever kind of which I shall die seized and possessed or to which I am entitled at the time of my death.

It is my wish and desire for the executors to sell two thirds of my real estate or any part thereof or timber on same or rent the same out as they may think proper or best to do. For the benefit of three of my children of the following names. Antoinette C., Georgie D., and Grace T. Gwaltney, at the death of my widow I desire the remaining one third of my real estate to be sold and equally divided between my four children, Antoinette C. Georgie D. Grace T. and Caroline E. Gwaltney.

I give to my grandson James Branch the bond I now hold against his father James Branch.

I do nominate and appoint my ntly
and nephew R. E. Boykin and L. H Gwaltney
to be the executors of this my last will
and testament.

In testimony whereof I have to this my
last will and testament set my hand
and seal and publish and decree this to
be my last will and testament in presence
of the witnesses named below, this 1st day
of may in the year of our Lord one thousand
eight hundred and eighty four.

Madison Gwaltney (seal)

Signed sealed declared
and published by the
said Madison Gwaltney
as and for his last
will and testament in
presence of us who at
his request and in his
presence & in presence of
each other have subscribed
our names as witnesses
hereto.

Josiah Stallings
Edwin R Bell

In the county court of Isle of Wight county
the 5th day of January 1885. This the last will
and testament of Madison Gwaltney was proven by
the oaths of the subscribing witnesses thereto
and ordered to be recorded. Exrs refuse to
qualify and admr. with the will annexed
qualified &c.

Test (A. P. Young) clk

A copy. Test.

A. P. Young clk

Copy

Madison Gwaltney

Field

Exhibit- B "4".

Admitted in evidence as
Defendant's offer exh:
Shelton Co. Clerk to
Paul Lea et al. The
Lea Refund Lumber Co
acct. of sale.

A. P. Gwaltney

Know All Men by These Presents:

THAT WE, Oceanna C. Gwaltney, James Gwaltney and Jason Little

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Two Thousand DOLLARS, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 5th day of January, in the year one thousand eight hundred and eighty-six and in the 110th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound Oceanna C. Gwaltney who has this day qualified in the county court of Isle of Wight county as the administratix of the estate of Madison Gwaltney dec'd. with his will annexed

shall faithfully discharge the duties of said office or trust then the above obligation to be void, or else to remain in full force and virtue. We hereby waive the Homestead Exemption as to this obligation, and we also waive any right, claim or privilege to discharge any liability arising under said bond, or by virtue of said office or trust, in any currency, funds, counter-claims, or offsets other than legal tender currency of the United States.

Witness
N. P. Young clk.

Oceanna C. Gwaltney SEAL
James Gwaltney SEAL
Jason his X Little SEAL
mark SEAL
SEAL

IN ISLE OF WIGHT COUNTY COURT, January 5th 1886:

This bond was executed and acknowledged in open Court by the obligor to the same, and ordered to be recorded.

N. P. Young CLERK.

A copy Teste,
N. P. Young clk

Copy Bond of admt. of
Mad. Geraltney &c.

Exhibit "C"

The last will and testament of Madison Gwaltney
decd. was proven by the oaths of Josiah
Fallings and Edwin R. Bell, the subscribing
witnesses thereto, and ordered to be recorded.
And the executors therein named having
refused to qualify, on the motion of
Oceanna C. Gwaltney, widow of said
Madison Gwaltney decd, who made oath,
and together with James Gwaltney and Jason
Little her securities, who justified, entered
into and acknowledged a bond in the
penalty of $2000.00 with conditions according
to law, certificate of administration with
the will annexed is granted her on the
estate of said Madison Gwaltney decd.

A copy.

Teste, N. P. Sherrod Clk

Copy order guilford co
Orad. Guardianship Est.

Exhibit - "B"

$2.70 on the [redacted] day of Janry. 1884
I promise to pay or cause to be
paid unto Jas. W. Savage two hun
dred and ballance Due on his & his wife
Intrest for her intrest in the farm
formerly belonging to Jas. L. Warren
Test, given under my hand & seal
this 18th day of Dec. 1883
I intict I bind my self &c &c

Madison Smithey [seal]

All Available Text Successfully Captured

Mrs. Lois Lindsay
Leavenworth
Kansas

Savage J. V.

v

Walkers admr

This cause coming on this day

to be again heard on the papers formerly read and on the report of payments of R.S. Dennis, Special Commissioner bearing date the 7th day of June 1892 and the duty of the plaintiff being paid it is ordered that this cause be discontinued at his

Savage J W

v

Swaltney Wm

Decree

Octobr Term 92

To be entered

C W D

Entered #7

Savage J. &c

v

Swalneys adms et-al

This cause came on this day to be again heard on the papers formerly read and on the report of C. R. Atkinson Commissioner under the decree of October 1889 to which no exceptions are filed and was argued by counsel: On consideration whereof the court doth adjudge order and decree that Oceana C. Swalney administratrix with the will annexed of Malcom Swalney and James Swalney and Jason Letcher her sureties do pay to R. S. Thomas attorney for the sum of Three Hundred and ninety three ($393.00) dollars after which he shall pay first the unpaid costs of this suit, then R. E. Boykin the debt of the first deputy mentioned in Commissioner Atkinson's report, then the debt per Mrs Savage and then Boykin ~~mentioned in the report and reports~~ ~~the other creditors pro rata pari passu~~ ~~their claims and by consent of parties given in open court and entered of record~~ ~~it is ordered that this cause be~~ ~~a vacation cause~~

Savage L. W

v

Gwaltneys admr

Rule to Decree

April 30 / 1892

To be entered

C W D

Entered #17

We consent to this de-

cree

R. S. Thomas

attorney for Plaintiff

R. E. Boykin

atty for defts

Savage J. W.

v

Swalwegs admr

This cause came on this day to be heard on the papers formerly read, and on the written agreement of Maynard-Smith bearing date April 19th 1892 this day filed by leave of the Court and was argued by Counsel: On Consideration whereof the Court doth adjudge and decree that R.S. Thomas out of the money shown to be in his hands by the decree herein of April 20th 1892 pay James W. Savage the Sum of ($276.07) Two Hundred and Seventy Six Dollars and Seven Cents with interest on ($200.00) Two Hundred Dollars from April 20th 1890 till paid and to A.R. Barkin the Sum of Fourteen Dollars and ninety three cents ($14.93) with interest on Eleven Dollars the principal from April 20th 1890 ~~till~~ till paid

Savage J. W

v

Givaldney admr et al

Rough Decree

April 92

To be entered

CTST

Entered 25

✓

Savage J. W
v
Gwaltneys admrs-ac

This cause came on this day & the same was heard on the papers formerly read, and on the report of Commissioner G. R. Atkinson under the decree of October Term 1889 filed herein October 21st 1890, & which no exceptions are filed and was argued by Counsel: On consideration whereof, it appearing to the Court that Oceana C. Gwaltney administratrix with the will annexed of Madison Gwaltney has in her hands is indebted to the estate of the said Madison Gwaltney in the sum of $285.58 as of April 20th 1890, and that Madison Gwaltney and Jason Little on her sureties in her bond as administratrix as aforesaid the Court doth adjudge & order & decree that they pay the said sum of $285.58 with interest on $213.65 part thereof from April 20th 1890 unto paid to R. S. Thomas who is hereby appointed Special Commissioner to receive and to distribute the same pro rata amongst the creditors ~~mentioned~~ in Commissioners

aforesaid, But before the said R. S. Thomas Special Commissioner aforesaid should receive the aforesaid sum of money from the parties aforesaid he shall enter into bond in the sum of Three Hundred Dollars with good security before the clerk of this court conditioned according to law for the faithful performance of his duty under this decree. And it further appearing to the Court that the sale of the real estate in the bill and proceedings mentioned is necessary to pay off and discharge the balance due & in the debts of the estate of Madison Swadley the Court doth adjudge and decree that R. A. Edwards Sheriff of the County of Dougherty who is hereby appointed a Receiver for that purpose shall sell at public auction at the Court-House door in the City of Albany on the first Monday in September 1880 that being Court-day of the County Court of said County the real estate in the bill and proceedings mentioned being the same of which the said Madison Swadley died seized and possessed containing 284 acres more or less and joining the lands of the estate of D. H. L. Cafer, of Edwin Little

J. A. Stallings and others for the
period of one year from the 1st day
of January 1891 to the first day
of January 1892 taking from
the party renting land such good
security for the rent payable on the
31st day of December 1891. But-
before the said R. A. Edwards as recei-
er as aforesaid rents out. The said Com-
m the said first day of September he
shall advertise the time, terms & place
of renting at the Court-House on a
Court-day prior to the renting and at
other public places in the said County.
And the said R. S. Thomas Special
Commissioner as aforesaid & the said
R. A. Edwards receiver as aforesaid
will report their proceedings under
this decree to a future term of this Court

Savage d. W

v

Gewaltmejs
~~Savage~~ Admiralty

Octr Term 1849

To be entered

In the Circuit Court of Isle of Wight
County Oct - 28th 1884 -

Savage J. H. Pltff.
vs -
Gwaltney A. C's admx. etals - Defts.

This cause came on this day to be heard on the bill taken for confessed by the absent defendants on whom process has been duly served, they still failing to plead, answer, or demur, on the answer of the infant defendants by their guardian ad litem with general replication thereto & exhibits filed, and was argued by Counsel, On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court, take, state & report to Court

1 An account of the debts due by & outstanding against the estate of Madison Gwaltney dec'd -

2 An account of all of the real estate of which the said Madison Gwaltney died seized & possessed together with its fee simple & annual value -

3 An account of the transactions of Arianna C. Gwaltney as administratrix of Madison Gwaltney showing what amount of personal property of the said Madison Gwaltney went into her hands & what disposition has been made of the same what amount was sold by her, what unsold, if any, & what is due by her to the estate of the said Madison Gwaltney together with any other matter deemed pertinent by him, or required by either of the parties to be so stated -

A copy. Teste, S. P. Young clk.

Saratoga Co. N.Y.

To —

Granting Miss adamp-

Means. Act. Term

1879 — for acts,

A Copy

Savage J. W

v

Swalney O. C's admrx et-al

This cause came on this day to be heard on the bill taken pro confesso by the adult defendants on whom process has been duly served they still failing to plead, answer, or demur, on the answers of the infant defendants by their guardians ad litem with general replication thereto and exhibits filed, and was argued by Counsel: On consideration whereof the Court doth adjudge and decree that one of the Commissioners of this Court, Locke, Slade and report to Court (11) an account of the debts due by and outstanding against the estate of Madison Swalney deceased

2 An account of all of the real estate whereof the said Madison Swalney died seized and possessed together with its [illegible] simple and annual values

3 An account of the transactions of Occanna C. Swalney as administratrix of Madison Swalney showing what amount of personal property of the said Madison Swalney went into her hands & what disposition has been made of the same, what amount was owed by him, what moneys, if any, and what is due by her to the estate of the said Madison Swalney together with any other matter deemed pertinent by him, or required by either of the parties to be stated.

Savage J. W

v

Gwaltney's M. admrx.

Rough Draft
October Term 1889
To be entered

To be entered
C[illegible]

Ent 24.1889

Entered #2b

R. E. B.	22.50		Amount Paid	343.40
Int-4 Apl 90	6 08		" "	447 60
" " " 92	220	36.28	Paid on costs	45 40
L. W. S.	200.00			
Int-4 Apl 90	76.07			
Int-4 Apl 92	24 00	300.07		
A. R. B.	11.00			
Int-4 Apl 90	3.53			
" " " 92	132	1625		
		347.60		

R.E.B. 22.50

Int-to Apl 90 6.05 28.50 2.70 31.20

J.W.S. 200.00

Int- " " 76.07 27.607

A.R.B. 11.00 24.00 30007

Int- " " 3.53 14.90 1.32

319.58

28.02

22.50 200.00 11.00 233.50 6 1401/2 28.02

22.50 6 135.00 2 270

66 2 132

(over)

R. S. Thomas,

Attorney at Law,

Practices in the Courts of Isle of Wight, Surry, Southampton and Nansemond Counties.

Smithfield, Va., April 19th 1892

R. S. Thomas Esq
Dear Sir:

As Mr James Gwaltney and Mr Jason Little have to day paid over to you the sum of Three Hundred Dollars as the securities of Oceana B. Gwaltney administratrix ~~&~~ with the will annexed of Madison Gwaltney ~~dec~~ I consent and agree that that money may be used to pay the unpaid costs of the suit, and to pay the debts of R. E. Boykin, A. R. Boykin and L. W. Savage.

Very Resp.y &c
Yours &c
Margaret her + mark Smith

Witness
J. S. Gale

Agreement
of
Margaret Smith

Filed by Leave of
Court April Term
1897

No. 113 Smithfield, Va. April 19th 1892

THE BANK OF SMITHFIELD

SMITHFIELD, VA.

Pay to A. R. Bazkin or order

Sixteen 25/100 Dollars

in payment of claim allowed in George V. Gwaltney's Admr case

$16.25/100

R. S. Thomas

THE BANK OF SMITHFIELD MAY 7 1892 SMITHFIELD, VA

A. Hoen & Co. Lith. Baltimore.

C. H. Boykin

J. O. Branch

No. 112 Smithfield, Va. April 19th 1892

THE BANK OF SMITHFIELD

SMITHFIELD, VA.

Pay to R. E. Bozpkin or order

Thirty one 28/100 Dollars.

amount due on Savage v. Swalings admr et al

$31.28/100

R. S. Thomas

APR 19 1892

SMITHFIELD, VA.

A. Hoen & Co. Lith. Baltimore

R. E. Boykin

J. W. Savage

v

Madison Swaltney, admr et al

The undersigned by the Court to report- that he has paid R. E. Bizzell A. R. Bizzell and J. W. Savage the amounts decreed to be paid to them respectively by the decree herein of the April Term 1892 and that he has paid all costs taxed in the Copy of the said decree hereto attached except- as will be shown by statement- "A" hereto attached as a part of this report which contains also a receipt of the parties for the payments made to each respectively.

Respectfully submitted

R. S. Thomas

June 7th 1892.

A.

Amount - Received of James Swalthey and Jason Little in the suit of D. W. Savage against Swalthey's admr et al and to whom paid

Amount received			393 00
Due R. E. Bozkin as per Com'r Atkinsons depy- and per decree	31	28	
" J. W. Savage " " "	300	07	
" A. R. Bozkin " " "	16	25	347 60
			45.40
" R. S. Human atty + cost tax	16	50	
" G. R. Atkinson, Com'r	15	00	
" N. P. Young, clerk	11	60	
" R. A. Edwards sheriff	4	00	
	47	10	

47.10
45.40
1.70

We the undersigned have each and severally received of R. S. Human the amounts set opposite to each of our names respectively as of April Term 1892

R. E. Bozkin paid	See check	31 28
J. W. Savage paid R. S. Human atty		300 07
A. R. Bozkin	See check	16 25
R. S. Human atty paid		16 50
G. R. Atkinson Com'r paid	Geo R Atkinson	15 00
N. P. Young 9.90	N. P. Young by N. P. Young	9 90
R. A. Edwards 4.00	Paid Ro. A. Edwards Esq.	4 00

In the circuit court of Isle of Wight county, the April term 1892.

J. W. Savage . . . . Pltff.

vs. In Chy.

Madison Gwaltney's adm'r, &c. Defts.

This cause came on this day to be again heard on the papers formerly read, and on the agreement of Morgan Smith to bearing date April 19th 1892, this day filed by leave of the court, and was argued by counsel; on consideration whereof, the court doth adjudge order and decree that R. S. Thomas, out of the money shown to be in his hands by the decree herein of April 20th 1892, pay James W. Savage the sum of ($276.07) Two Hundred and seventy six dollars and seven cents, with interest on ($200.00) Two Hundred dollars from the 20th of April 1890, till paid, and to A. R. Boykin the sum of ($14.93) Fourteen dollars and Ninety three cents, with interest on Eleven dollars, the principal, from April 20th 1890, till paid.

A copy.

Teste, N. B. Young clk

Savage Jas. W.

vs. Ex parte Clay.

Geo Allen's conviction

Copy decree of April 1892.

And Report of R. S. Thomas of payments under it.

Filed Octs. 22. 1892

Atty. fee & Exp. ... 10.50
Clk. Cir. & Co. Courts 11.40
Sheff. fees 4.00
Comm. Attorney " 15.00
Costs Supr. Court " 47.10

The Estate of Madison Swalling

Account with Dennis & Swalling Executors Waiting with the Will annexed

1885					
June 26	To paid for Digging Grave		2	50	
	" " Whitewash		00	00	
	" " Brick at Sale		5	00	
	" " Taxes for year 1884		26	97	
	" " R E Boykin Services in Probate of will		10	00	
	" " Blanks paid for Same		00	61	
July 4	" " W G Rowe in part of Burial Expenses assigned R E B		20	00	
	Credits				
	By Sales of Chattels as shown by account of sales				27 82
	" Sales of Corn				8 91
June 5 1886	To Balance due the Estate	29	3	60	
		36	46	73	36 46 73
Oct 15 1886	To paid R E Boykin Medical services in last illness		5	00	
June 5 1889	" Balance due the Estate	24	3	65	52 85
		24	3	65	52 85
June 5 1886	By Balance due the Estate per Admr	24	3	65	
June 5 1889	" Interest on Balance to date				52 85
		24	3	65	52 85
April 20 1890	To amount retained by Boykin for Services as Attorney in Suit		00	00	
	" Balance due the Estate per credits	21	3	65	71 93
		24	3	65	71 93
June 5 1889	By Balance due the Estate per Admr	24	3	65	52 85
Oct 20 1890	" Interest on Balance to date				19 08
		24	3	65	71 93
1890					
Oct 20	By Balance due the Estate per Admr Corrected	21	3	65	
	" " " " " " " " " Interest		11	98	
		24	3	65	

Under-keeper's Rate of Wages and Earnings from the date of Woodcock Hamlet's appointment

1st Quarter.

R. & Boughton Keeper & W. Ranse Assistant	2	10		
Wages of Ranse as above				
Salary 25 Dec 1889 to 24 March 1890	6	15	9	5

2nd Half.

James W Ranse Assistant	200	00		
Salary from December 18th 1889 to April 20th 1890	76	01	276	01
Margaret Smith Maid	141	13		
Salary 18th Dec 1889 to April 20th 1890.				
Deduction for Holidays June 25th 1889	1	13	139	26
A R Boughton Assistant to Keeper	11	00		
Salary from 25th Dec 1889 to April 20th 1890	3	7	14	07
Deserved by Woodcock, Assistant for Rabbit Drive by Woodcock, paid by him to Ranse				
Deserved for Rabbits	1	4	8	
Salary from Feby 17th 1889 to April 20th 1890	3	9	1	17
Deserved for Fish Preserving	36	01		
Salary 19th Dec 1889 to April 20th 1890	14	00	50	01
Deserved for Shooting Rabbits	1	80		
Salary 2nd Feby 1889 to April 20th 1890		3	2	15
Deserved for Preserving Do	13	07		
Salary 30th Dec 1889 to April 20th 1890	3	4	17	11
Paid Margaret Smith Advance	46	00		
Salary from June 25th 1889 to April 20th 1890	7	5	53	05
Board for 2 Shooting	120	00		
Salary from March 1st 1888 to April 20th 1890	1	16	14	16
Board for Bunting & Collard	9	01		
Salary from March 1st 1888 to April 20th 1890	1	12	10	13
			1	11

The account of all the Real estate of which Madison Gwaltney died seized and of its fee simple and annual value.

	Fee Simple value	Annual value.
One tract of land in Isle of Wight County	1998 00	200 00

Commissioners Office
Smithfield April 18th 1890

To the Circuit Court of Isle of Wight county

Pursuant to a decree of the said court rendered on the 28th day of October 1889 in a suit in chancery pending therein between James W Savage plaintiff and Deanna B Gwaltney administratrix with the will annexed of Madison Gwaltney dec'd and others defendants, the undersigned one of the commissioners in chancery of the said court to whom was referred the following accounts to wit 1st An account of the debts due by and outstanding against the estate of Madison Gwaltney, deceased, 2nd An account of all of the real estate of which the said Madison Gwaltney died seized and possessed, together with its annual and fee simple value, 3rd An account of the personal estate of Deanna B Gwaltney administratrix of Madison Gwaltney deceased, the value of the personal property of the said Madison Gwaltney, what has come into her hands, what disposition has been made of the same, what remains to be sold by her and what amount, if any, and what is due by her to the estate of the said Madison Gwaltney, reports to the court that on the 3rd day of March 1890 he issued notices against the said parties requiring them to attend the taking of the said accounts at his office on the 20th day of the same month, which notices were duly served as required by law, and that on the execution of the said accounts he proceeded to have executed the duties of his appointment as required by the decree aforesaid and prays leave to report that the said Deanna B Gwaltney administratrix of Madison Gwaltney deceased is indebted to the said estate on the 20th day of April 1890 in the sum of $283.38 of which the sum of $213.65 is on balance of principal: by account B That the debts due and outstanding against the estate of the

Savage &c

vs

Hawthorn & Savage &c

Bond Wilkinson's

Report

under decree of October term 1889

Filed Octo. 21st 1890.

P. D. GWALTNEY,
P. D. GWALTNEY, Jr.

FERTILIZERS
—AND—
SMITHFIELD
HAMS.

Smithfield, Va. May 14 1886

Mr Madison Gwaltney — deceased

BOUGHT OF

P. D. GWALTNEY, Jr. & CO.

DEALERS IN

General Merchandise.

1883

Dec	6	1	Hat			1 50	
1884							
Feby	10	10	Peanut Sacks	at	13¢	1 30	
Mch	3	1	Bbl Flour			7 75	
June	11	1	do	do		7 50	
"	23	1	Stopper & Plow Point			75	
"	"	2	Cultivator Hoes			36	
"	"	2	Egg Glasses	at	75	1 50	
Oct	1	1	Bbl Flour			6 75	36 11
			Fertilizers				
Mch	10	3	Bags Pocomoke	at	$4.00	12 00	
April	10	2	" do	"	4.00	8 00	
"	17	2	" "Fish Hawk"		3.25	6 50	
May	13	3	" do	do	3.25	9 75	36 75
							67 66

I. R. L. Gray. a Clerk in the employ of P D Gwaltney Jr & Co. do hereby affirm that the above account is true & correct to the best of my Knowledge & belief. R L Gray

Sworn to before me this 14th Day of May 1886.

C. B. Hayden
Notary Public

Poor Quality Original. Best Possible Capture

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight Greeting:

WE COMMAND YOU to summon Deciamna C. Gwaltney individually and as administrating with the will annexed of Madison Gwaltney, James Gwaltney, Jason Letts, and Margaret Smith, Antoinette C. Gwaltney, Georgia F. Gwaltney, George T. Gwaltney, Caroline E. Gwaltney, the last four infants under 21 years of age to appear at the clerk's office of our Circuit Court of the County of Isle of Wight at the court-house thereof, at the Rules to be holden for said court, on the third Monday in September 1889 next to answer the Bill in chancery of James W. Savage

~~of a plea of~~

~~Damage.~~ ~~Dollars.~~ And have then there this writ.

WITNESS, N. P. Young, Clerk of our said court, at the court-house, the 6th day of September 1889, and in the 114 year of the Commonwealth.

N. P. Young clk.

Executed by delivering to the within named Amanda C. Swalling personally Sept. 10th 1879.

Not finding Morgan Smith or his usual place of abode, I delivered a Copy of the within Summons to Mrs. C. C. Swalling a member of the family over the age of sixteen yrs. & explained the purport of the same. Sept 10th 1879.

R. A. Edwards Sh'ff
by A Edwards Dep.

FORM No. 200.

Savage Jas. W.

vs.

Summons in ~~an action of~~

Am'l Bill

M. Geraldine's admrs et al.,

Thomas co. Ch'y p. q.

To Sheriff (D.) Rules,

1879. Circuit Court.

The answer of Antionette C. Gwaltney
Gurgie F. Gwaltney Grace T. Gwaltney
and Caroline E. Gwaltney infants un-
der the age of 21 years by George R.
Atkinson their guardian ad litem
assigned to defend them in the suit of
James W. Savage exhibited against
them and others in the Circuit Court
of the City of Wright County.

For answer to the said bill the said infant
Defendants by their guardian ad litem
answer and say that being of tender years
they do not
they know nothing what-ever in relation
to the subject-matter
of the said bill, nor do they know whether
the statements therein contained are true
or not and they therefore confide the
protection of their interests to the Court-

Geo R Atkinson
Guardian ad litem for
above named defendants

Virginia, City of Wright County to-wit:

To day personally
appeared before me R. S. Thomas a Notary
public for the County aforesaid in the State of Virginia
who made oath that the statements in the foregoing
answer so far as made on his own knowledge are true, &
correct: & so far as made on information from others he
believes it to be true and correct. Given under
my hand this 2 day of September A.D. 1889.

R. S. Thomas

Savage D. M

v

Wadsworth O. B et-al

Answer of
Intervenors.

Filed 2d Sept. Rule 1859

To the Hon. C. W. Hall
Judge of the Circuit Court of
Dale & Wright County in Chancery
Sitting.

Your Orator James Savage respectfully represents
That on the 18th day of December A. D.
1883 Madison Swaltney made
and executed and delivered his note to your Orator
for Two hundred dollars payable on
the first day of January 1884 to
your Orator as will be seen from
the note itself hereunto filed marked
Exhibit "A" and prayed to be taken
as a part of this bill
That the said Madison Swaltney
Died on the 9 day of November in the
year 1884 and that Oceania
C. Swaltney on the 5th day of
January A. D. 1885 qualified as
his administratrix with the will
annexed and entered into bond in
the penalty of $2000-00 Dollars
with James Swaltney and Jason Little
as her securities as will be seen from
Exhibit a copy of the Order of qualification, and of her bond as administratrix hereunto filed as exhibits
"B" & "C" and prayed to be taken as a
part of this bill

That the said Madison Swaelney
prior to his death, to-wit, on the 14th
day of May A. D. 1884 made and
published his will which was
duly admitted to probate on the 5th
day of January A. D. 1885 as evid
by copy from a copy of the same
herewith filed as Exhibit "A" and
prayed to be taken as a part of this
bill.

That by the 2nd clause of that will
he directed his executors to pay his
just debts and to sell all of his
personal property of every kind what-
soever

That he also directed his executors
to sell two thirds of his real estate, or
any part thereof, or timber on the
same and invest for the benefit of
his children
Antoinette C. Genevieve F. and Grace
J. Swaelney, and at the death of
his widow to sell the remaining one
third for the benefit of the said Antoi
nette C. Genevieve F. Grace J and
Caroline E. Swaelney.

That the said Madison Swaelney
died seized and possessed of a large
quantity of personal property, and
also of a certain piece and parcel of
real estate "containing 284 acres
more or less lying in the County of Dela

of Wright adjoining the lands of the Estate of J. H. L. Cofer, Edwin Lucas, J. A. Slaughter and others, comprised of one piece of 50 acres including the dwelling and one other piece of 234 acres making in all 284 acres which was conveyed to him by his deed duly recorded in the Clerks Office of the County Court of Isle of Wight County in Deed Book [illegible] as will be seen by a copy of the same and an abstract thereof hereunto as Exhibits "E" & "F" & prayed to be taken as a part of this bill

That the said Oceana C. Swaney has not since her qualification as administratrix with the will annexed ~~aforesaid as aforesaid~~ ~~of the personal property that came into her hands, to the knowledge~~ ~~of the said~~ made any sale of the personal property that came to her hands; that she has not made any settlement of her transactions as administratrix with the will annexed; but she has not as such made sale of two thirds of the real estate nor of the timber, nor conducted

the said Lucy Thurd of the nacty, but has all the time continuously & co-cupied the same.

In tender consideration whereof and in as much as your orator is remidless save in a court of Equity where matters of this sort-are alone cognizable he prays that Oceanna C. Gwaltney individually and as administratrix with the will annexed of Madison Gwaltney James Gwaltney and Jason Little, Margaret Smith, Antoinette C. Gwaltney, Georgie F. Gwaltney Grace T. Gwaltney and Caroline E. Gwaltney the last-four infants under the age of 21 be made parties defendant-& this Bill and be required & answer the same an answer under oath being, it is waived, that a guardian ad litem be appointed to the infant-defendant; that the said Oceanna C. Gwaltney be required & render before one of the Commissioners of this Court-an account-of her transactions as administratrix with the will annexed of Madison Gwaltney; that the personal property of Madison Gwaltney if any remains be sold to pay the debts-of said-testator; that if more remains that the

Said Ocianna E. Swadley James Swadley and Jason Little be ordered to pay the same if they have sufficient personal property to pay it, and that if not, the real estate of the said Madison Swadley be sold out, or sold, as the case may be, to pay your orators said debt and that he may have all such other and further relief as the nature of his case may require and to Equity shall seem meet. And he will ever pray &c

R. S. Thomas p.q.

Savage J. W.
v
Gwathney O. C. admx
Bill & Exhibits

Sept. 2d. Rules 1889.
Bill with exhibits filed, Summons
issd. on adult defts. & duces
as. thereon. Gdn. ad litem
appointed to the infant defts.
Their answ. filed & issd. exhd.

Octo. Rules 1. Nov: Bill taken
for confsd. as to adult defts and
set for hearing.

Oct term 1889, decree for
accounts

April 6th 1892 Deft called & rs.
May 4th 1892 Deft to appear rs.

April 1893 Final as to
J. W. Savage.