

1893-007 Chancery Causes, George A. Swaltney, Mills Bray, & Catherine Brown vs
Isle of Wight County Lucretia Swaltney, widow of Peter Swaltney & Clarence Minger (Minga),
by v c

Know all men by these Presents, That we, W. S. Holland
and R. A. Edwards

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Four
Hundred Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 20th day of July,

eight hundred and ~~one~~ eighty nine ~~and~~ twenty

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound W. S.
Holland

shall faithfully perform the duties of his office or trust, as Commissioner of sale

under a decree of the Circuit Court of the County of Lee of Wright
pronounced ~~on the~~ at the day of October term, 1899, in the suit therein

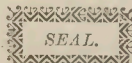
depending under the name and style of Geo. A. Gwaltney et al, vs.
Gwaltney et al, and any subsequent
decree therein

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

W. S. Holland

R. A. Edwards



In the Clerk's Office of the _____ Court of the _____ of _____

This day _____

suret _____ on the above bond, made oath before me, _____ Clerk

of the _____ Court of the _____ of _____

that _____ estate, after the payment of all _____ just debts, and those for which _____ bound as

securit _____ for others and expect to have to pay, _____ worth the sum of _____

_____ dollars.

Given under my hand this _____ day of _____, 1899.

Teste: _____ Clerk.

In the Clerk's office of the District Court
County of [unclear] State of [unclear] the
20th day of June, 1890, this
bond was presented and acknowledged
by the obligors to the clerk and admit-
ted to record. The security having been
verified.

Teste, N. P. Young, Clerk

copy.
Teste, N. P. Young, Clerk

Form No. 309.

W. S. Holland & Co
in
Guaranty & Surety

COMMISSIONER'S
BOND.

to }

Commonwealth.

copy.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon C. T. Joyner

to appear before the Judge of our Circuit Court of the County of Isle of Wight
at the court-house thereof, on the first day of April term 1893, to show cause,
if any he can, why the parcels of land purchased by
him under a decree of said court rendered
in the suit of Geo. A. Gwatney et al. against
Gwatney et al.

And have then there this writ.

WITNESS, A. O. Young, Clerk of our said court, at the court-house,

the 24 day of January 1893, in the 117. year of the Commonwealth.

A. O. Young ck

Gwattney et als.

Rule vs. C. T. Jorgensen
 vs. to show cause
 for

Gwattney et als.

To April Term,
 1893, circuit Court.

Executed on
 C. T. Jorgensen by
 allowing a copy
 of the petition
 Feb 22nd 1893.

Ro A Edwards
 S. H.

3
4 In the County Court of Isle of Wight
5 County the 6th. day of August, 1889.
6 On the motion of George A. Gwollney
7 executor named in the last will and
8 testament of Peter Gwollney decd: was
9 which has been admitted to probate in
10 said Court, who made oath, and
11 together with William H. White
12 and J. J. Lawrence his secretary,
13 who testified, sworn into and
14 acknowledged a bond in the penalty
15 of \$200.⁰⁰ with condition according
16 to Law, Certificate of probate is granted
17 him on said will in due form.

18 Test,

19 A. P. Young & Co.
20
21

Goatting star.

3 Inchy,

Goatting star,

24th B. filed
with Bill.

I know all men by the parents that I
Peter Gwaltney in the county of Isle of Wight
and state of Virginia, being of sound and
disposing ~~mind~~ memory, do make and
publish this my last will and testament hereby
revoking all former wills made by me at
any time heretofore made.

And as to my worldly estate and all
the property real personal or mixed of which
I shall be seized and possessed or to which
I shall be entitled at the time of my decease,
I devise, bequeath and dispose thereof in
the following manner to wit

First my will is, that all my just debts
and funeral expenses shall, by my executors
hereinafter named, be paid out of my estate
as soon after my decease as shall by him
found convenient.

Item I give devise and bequeath to my
beloved wife Lucenia Gwaltney all that the
laws of Virginia allows her as long as
she lives, then my whole real and personal
estate eighty acres more or less are to be
divided among the following named persons

I give and bequeath my niece Catherine
Gwaltney the daughter of Patsey my sister
deceased $\frac{1}{4}$ of my estate.

I give and bequeath to my sister Caroline
Gray's grandson Mills Gray one fourth of my
estate.

I give and bequeath to my first ^{wife} Mary's
grandson Clarence Mingo one fourth of

1 my estate.

2 I give devise and bequeath to my nephew
3 Geo A. Gwaltney the son of Patsey my
4 sister deceased the remainder of my estate
5 The above named persons are to have
6 their portion either in land or money.
7 This is to be done at Lucretia's death.

8 I also devise and bequeath to the names
9 already mentioned all my personal
10 property after the expenses are deducted
11 already mentioned if there be any left,
12 to be sold and divide at my death equally
13 with my wife Lucretia, Catherine, Geo A.
14 Gwaltney, Will Gray and Clarence Wingo.
15 And lastly I do nominate and appoint
16 my nephew Geo A. Gwaltney to be the
17 executor of this my last will & testament

18 In testimony whereof I Peter Gwaltney
19 have to this my last will and testament
20 subscribed my name and affixed my
21 seal this the 29th day of December 1882
22 Peter ^{his} Gwaltney (seal)
mark

23
24 signed sealed published and declared by
25 the said Peter Gwaltney as and for his
26 last will and testament in the presence
27 of us who at his request and in his
28 presence and in the presence of each
29 other have subscribed our names
30 as witnesses thereto

31 Henry ^{his} Pope J of Wright & Co
mark
32 James ^{his} Lawrence J of Wright & Co
mark

1 In the county court of Isle of Wight county
2 the 2nd day of July 1888 The last will and
3 testament of Peter Guathney decd. was proved
4 by the oaths of Henry Pike and Carrie J.
5 Lawrence the two subscribing witnesses
6 thereto and ordered to be recorded

7 Teste A. P. Young clk.
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Copy
Peter Gwaltney's
Bill

Gwaltney et al.

vs. $\frac{2}{3}$ In ch.

Gwaltney et al.

Ex'or A filed with
the Bill.

Gwaltney et als.

vs.

Gwaltney et. Als.

This cause came on to be again heard ~~th~~^{This} day on the papers formerly read and on the report of receipts and disbursements this day filed by leave of court, And was argued by counsel, on consideration whereof the court doth adjudge, order and decree that said report which seems to be supported by proper vouchers, be and the same is here confirmed, and nothing further appearing to be done in this cause it is ordered to be dismissed from the docket.

Gwaltney et als

vs

Gwaltney et als

Decree

To be entered

CMH
Apr 1893

Entered # 22

Gwaltney Et. als.

Vs.

Gwaltney and others.

This cause came on this day to be again heard on the papers formerly read and on the or~~g~~al report of W.S. ~~H~~olland special commissioner to the efect that C.T. joyner one of the purchasers of one of the parcels of la nd in the bill and proceedings mentioned has not paid all the purchase money therefor and that the same has long since been due and payable, and was argued by counsel, on consideration whereof the court doth adjudge, order and decree that a rule be issued against said C.T. ~~joy~~ner returnable to the next term of this court to show cause, if any he can, why the parcel of land ^{purchased} ~~puched~~ by him should not be re-sold at his own proper costs, and risk.

Gwaltney et als

Vs.

Gwaltney et als.

Decree

To be entered.

Mar 2, 1892

CHJL

Continued #24

Ruattney &c

vs.

Ruattney et, als.

This cause came on this day to be again heard on the papers formerly read and on the report of Sale by Special Commr. W.S. Halland and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that the sale of the tracts of land to Lemuel Branch and Charlie Joyner respectively, be and the same are hereby ratified and confirmed, and that upon the payment of the balance of the purchase price W.S. Halland who is hereby appointed a special Commissioner for that purpose make, execute and deliver to said Branch and Joyner respectively good and sufficient deeds for the said lands purchased by them as by the report of Special Commr. W.S. Halland, and the Court doth further adjudge order and decree that W.S. Halland special Commissioner pay to Geo. A. Ruattney, Mills Gray, Catherine Ruattney and Clarence Meinga each one fourth of the balance in hands after paying costs and expenses of suit and sale and report to Court.

Quitting re

ps

Quitting et. als.

Deere

To be entered

@ 1104

June 20, 1891

Entered

To the Hon. C. W. Hill, judge of the Circuit Court of Isle of Wight County.

The undersigned three of your commissioners appointed by this Hon. Court by a decree entered in the suit of Gwaltney &c. Vs. Gwaltney et. als. a copy of which decree is herewith filed as a part of this report, beg to make the following report:

That being first duly sworn to discharge our duties faithfully ~~xxxx~~ to the best of our ability, proceeded this 2nd. day of November 1889 to assign to Lucretia Gwaltney the widow of Peter Gwaltny dec'd. her dower as by said decree required. We find that said Peter Gwaltny died seized and possessed of two small tracts of land, the one whereon said Lucretia now resides containing about 22 acres adjacent the lands of John Saunders, Lemuel Branch and others we assigned to said Lucretia as and for her said dower. We think it is fully one third ~~the~~ ^{a very important} quality and quantity of the lands of which Peter Gwaltny died seized and possessed; the other tract lies about half a mile from the first, could not be divided into four shares or parts without disadvantage to the interest of the parties, it being a very small farm without division and if divided it would be almost worthless for farming purposes and we know of no other use that could be made of the land. We think a sale would be to the interest of the parties for the following reasons:

- (1) Because it cannot be divided,
- (2) Because it is in a poor state of cultivation and cannot be rented for enough to pay taxes and keep up the fences and ditches,
- (3) Because the parties need the money very much. *we think the*

land is worth about \$180.00. Respectfully Submitted,

Bry. C. Roberts
J. O. Branch
Esse Whitley

B. C. Roberts com. fee 2.00
J. O. Branch " 2.00
Esse Whitley " 2.00
\$6.00

Quitting at ab.

or. $\frac{1}{2}$ In clay.

Quitting at ab.

Filed Nov. 5th 1889.
N. O. Gurney co.

Sp. Cont. for 1000
See index

Enallmy &c.

vs.

Enallmy et. al.

This cause came on this day to be again heard on the papers formerly read and on the report of J. O. Branch, Jesse Whitley and B. B. Roberts Commissioners and on the report of George A. Enallmy Executor of Peter Enallmy dec'd and was argued by counsel; on consideration whereof the court doth adjudge order and decree that said Commissioners report and said report of said Executor to which no exceptions were filed, be, and ~~that~~ each of them is hereby confirmed, that Lucretia Enallmy the widow of said Peter Enallmy shall, take, have and hold during her natural life the tract of land said to contain 22 acres whereon she now resides as and for her dower in the lands of which her said husband died seised and possessed as reported by said Commissioners;

And the court doth further adjudge order, and decree that W. S. Hall and who is hereby appointed a special Commissioner for that purpose proceed to sell the

lands in the bill and proceedings mentioned
whereof Peter Knolly died seized and
possessed and by him devised to
four parties under his last will and
testament subject to the clause afore-
said, after first having advertised said
sale for twenty days by printed hand
bills. Sale to be at public auction
to the highest bidder at Isle of Wight
Court house on some Court day on
terms as follows: one third cash, the
other two thirds payable one year after
date, purchaser to give bond and personal
security and title retained till ^{the} further
order of this Court, and out of the
cash payment said Commissioners may
pay the costs of this suit; but before
the said W. S. Holland shall enter upon
his duties under this decree he shall
enter into bond before the Clerk of this
Court with surety by him considered suf-
ficient in the penalty of ~~six~~ ^{four} hundred
dollars payable to the Commonwealth
of Virginia and conditioned according
to law; and said Commissioners shall
report to Court.

Qualling &c...

vs {

Qualling et. al.

Nov. 11th 1889

Decree

To be entered

C. W. H. H.

Nov 11, 1889

Entered #2.

In the circuit court of Sale of Wright county
April term 1889.

George A. Gwaltney, Mills Gray,
Catharine Gwaltney and Catharine
Brown Plffs

vs.

Louisa Gwaltney widow of Peter
Gwaltney, decd: Claunce Wmz Minga
the last an infant under the age of
21 years Defts

This cause came on to be heard on the bill
of complaint taken for confessed, as to the
adult defendants, and on the answer of
the infant defendant by A. S. Thomas
an attorney at law his guardian ad litem
and was argued by counsel, on consideration
whereof the court doth, as judge, order and decree
that J. O. Branch, Jesse Whitley, A. S. Atkins,
Jno M. Taylor and B. C. Roberts, any three
of whom may act, after first being duly
sworn, proceed to set off and assign
by meter and bounds, out of the lands
of which Peter Gwaltney decd seized and
possessed, to the widow of said Peter Gwaltney
decd: as and for her dower, and that they
report to court, and that said commissioners
report whether or not said land can be
divided in kind in four equal parts.

1 1/3 of said land having regard
to quality and quantity

2 and whether or not it will be to the interest
of the infant defendants to sell said land &
divide the proceeds of sale, and if so
state the reasons for that opinion.

And the court doth further adjudge order
and decree, that said Geo A. Gwaltney,
executor of said Peter Gwaltney decd: report
to court his transactions as such fiduciary
showing what came into his hands and
what disbursements he has made.

A copy.

Teste,

J. P. Henry clk.

Gwaltney et al,

vs
M. J. De Key,

Gwaltney et al,

Copy Decree
of April 1889

Filed Nov. 5. 1889

24693
112

Kualliy et, al,

vs

Kuolung et, al,

This cause come on this day to be heard on the bill of complaint taken for confessed as to the adult defendant and on the answer of the infant defendant by R. S. Thomas an attorney at law his guardian ad-litem and was argued by counsel on consideration whereof the court doth adjudge order and decree that J. O. Branch Jessie Whitty, A. N. Arline, Mrs. M. Taylor and B. B. Roberts any three of whom may act after first being duly sworn proceed to set off and assign by metes and bounds out of the lands of which Peter Kuoalliy died seized and possessed to the widow of said Peter Kualliy et al as and for her dower, and that they report to court: and that said Commissioners report whether or not said lands can be divided in kind into four equal parts: and whether or not it will be to the interest of the infant defendant to sell said land and divide the proceeds of sale and if so state the reasons for that opinion: And the court doth further adjudge order and decree that said

The child of said lands having regard to quantity and quality

Really it, as
PS & for change
Really it, as

Apr. Term 1889
Rough draft

- To be entered -

Chas. H. H. H.

Entered # 16

Res. A. Really executor of said Peter
Really it's report to limit his
Transactions as such fiduciary
showing what come into his hands and
what disbursements he has made.

Gwaltney et als
vs.

Gwaltney et als

The undersigned your special commissioner begs to report that he has collected and disbursed the money as directed by a former decree herein, a statement of receipts and disbursements will be seen by reference to the fot of a copy of a decree herein, with which vouchers are filed.

Respectfully Sumitted
*W. S. Hall and
Spec. Comm.*

Hwattuy et. al.

75

Hwattuy et. al.

Report of receipts &
disbursements by
W. S. Hall and sp.
com. filed April
24th 1893.

Gwaltney et. als.

Vs.

Gwaltney et. als.

The undersigned, your special commissioner appointed by a decree rendered in this cause Nov. 11th, 1889, a copy of which is herewith filed as a part hereof, has the honor to report that after duly advertizing as by said decree required, he did on the 3rd day of March 1890, it being Court day, before the C.H. door of Isle of Wight County, offer for sale the two small tracts of land in the bill and proceedings mentioned, the one said to contain 60 acres more or less, adjacent the lands of Lemuel Branch et. als. the other said to contain 22 acres more or less, adjacent the lands of Charlie Joyner and others, it being the parcel allotted the widow, and was sold subject to said widows life estate therein, at which sale Lemuel Branch became the highest bidder for the former tract at the bid of one hundred (\$100) dollars, and Joyner became the highest bidder for the latter tract at the bid of twenty-two (\$22) dollars, and your commissioner recommends the confirmation of the sale as to said latter tract. Your commissioner cannot recommend the confirmation of the sale of the former to said Lemuel Branch for two reasons: 1st, it brought very much less than commissioners Branch, Whitley and Roberts said by their report it was worth; and ~~second~~ 2nd, because Geo. A. Gwaltney one of the parties to this suit whom your commissioner regards as perfectly responsible for that amount, offers twenty-five (\$25) dollars more for the land and promises that at a resale it shall not bring less than one hundred and twenty-five (\$125) dollars. Both said highest bidders have paid one third their bid in cash, but have not executed any bonds. Your commissioner says they are perfectly responsible parties, and at his suggestion no bond is to be given until this court passes on this report of sales.

Respectfully submitted,

W. S. Holland

I hereby promise and bind myself that in case the said 60 acre tract in the above report of W.S.Holland special commissioner mentioned is resold it shall not bring less than one hundred and twenty-five (\$125) dollars. I hereby waive the benefit of my Homestead Exemption as to this obligation.

Witness my hand and seal this 29th day of April 1890 A.D.

Geo. A. Gwaltney

(seal)

2

Quattray et. al.

25

Swally et al.

Repd. of W. S. Hall

Special Court

Evally et al.

Refugee of W.S. Hall

Special Court

History of the

•

THE UNIVERSITY OF CHICAGO

In the Circuit Court of Isle of Wight county
Nov 11th 1889

Gwaltney &c

Pltfs

vs.

} In chancery

Gwaltney et al

Defts

This cause came on this day to be again heard on the papers formerly read, and on the report of J. O. Branch, Jesse Whitley and B. C. Roberts commissioners and on the report of George A. Gwaltney, executor of Peter Gwaltney deceased, and was argued by counsel, on consideration whereof the court doth adjudge order and decree that said commissioners report, and said report of said executor to which no exceptions are filed, be and each of them is hereby confirmed, that Lucretia Gwaltney the widow of said Peter Gwaltney shall take, have and hold during her natural life the tract of land said to contain 22 acres whereon she now resides as and for her dower in the lands of which her said husband died seized and possessed as reported by said commissioners.

And the court doth further adjudge order and decree that W. S. Holland who is hereby appointed a special commissioner for that purpose, proceed to sell the lands in the bill and proceeding mentioned whereof Peter Gwaltney died seized and possessed and by him devised to

four parties, under his last will & testament
subject to the dower aforesaid, after first
having advertised said sale for twenty
days by printed hand bills, sale to be at
public auction to the highest bidder, at Sale
of Night court house on some court day,
on terms as follows, one third cash, the
other two thirds payable one year after date,
purchaser to give bond and personal security
and title retained till the further order of this
court, and out of that cash payment said
commissioner may pay the cost of this
suit: But before the said W. S. Holland
shall enter upon his duties under this
decree, he shall enter into bond before the
clerk of this court, with surety by him
considered sufficient, in the penalty
of four hundred dollars payable to the
Commonwealth of Virginia and conditioned
according to law, and said commissioner
shall report to court.

A copy.

Teste,

A. P. Young clk.

W. S. Holland

Atto: fee & tax . . . 16.50

clerk's fee . . . 8.72

Steff: " 50

J. O. Branch cont. 7.00

B. C. Roberts " 2.00

Jeffer Whitley " 2.00

cts \$ 31.72

crim for selling 2 tracts

Paid Ro. A. Edwards & Jeff

Paid J. O. Branch

Bury W. Roberts

Paid J. O. Branch for
Jeffer Whitley

Paid Ro. A. Edwards crim lego

By collection of L. T. Jagers	23.56
" " " L. Branch	110.00
To costs paid as above	31.72
" Coms. on 128.56	6.68
" Paid Crier as per receipt above	6.00
" Paid Hand bills	1.00
" Paid J. M. T. acknowledging two deeds	1.00
" Drawing two deeds	10.00
" Estimated future duties fees	5.00
Paid to parties as per receipts below	72.16
	<u>\$133.56 \$133.56</u>

Rec'd of W. S. Hall and the Spe. Comm. in the above
 debt eighteen & 4/100 dollars in full of balance
 in hands of W. S. Hall and as per the above
 statement, the estimations of costs we agree to
 as final

Witness as to Rev. Mingo & $\frac{1}{2}$	Geo. A. Swattery
John L. Atkins	his Rev. Mingo a guardian
Witness to S. L. Branch	with Clarence Mingo
J. L. Atkins	Sarah ^{her} Catherine Brown who
	with Geo. A. Swattery

Gwaltney & Co
vs. 3 In chq.
Gwaltney et al

Recd Nov 11th 1889
for sale 1.

Copy

Bond is broken
and is being
M. G.

Certs to be

Rec'd. April 30th 1892 of W.S. Hallam
Spc. Comm. in Kwalling & S Kwalling
est. at. ag. five (5) dollars in
part on the interest of Clarence
Munga in said estate.

Witness

J. J. Kitchen.

^{this}
George X Munga
^{wife}
Eudora Clarence Munga

Rec'd. of C.T. Janyer
seven dollars and fifty cents, it being
the cash pay ment, on the Peter family
flower land sold at auction at
March

Feb'y Cont 1890

March 8th 1890

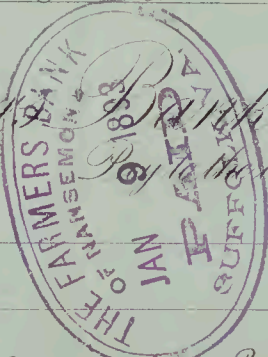
W.S. Hallen
Special Court.

Wm. S. Holland,

Attorney.

Suffolk, Va., Dec 26th 1892 No. 156

The Farmers Bank of Nansemond



Wills Gray

\$17.04

Seven teen & 4/100

Dollars

Unit. in full of ^{his share in} proceeds of sale of Peter Kwalling land under a
decree of one dollar fee shared & deducted for my services

W. S. Holland

Pay W. H. Jones, Jr. Cash'r.
For Collection, on Account of

THE NORFOLK NATIONAL BANK,
NORFOLK, VA.

C. Hardy, Cashier.

Miller Gray

FOR DEPOSIT ONLY AT
SALISBURY NATIONAL BANK,
TO THE CREDIT OF
L. E. MUMFORD.

FOR COLLECTION AND CREDIT OF
THE SALISBURY NATIONAL BANK
SALISBURY, MD.
JNO. H. WHITE, Cashier

COLLECT FOR ACCOUNT
CONTINENTAL NAT. BANK
J. W. GUEST, Cashier.

Pay C. HARDE,
Cashier, on Order for Cash, for Dep't of
THE NATIONAL BANK
OF THE UNITED STATES
CASHIER B. BISHOP, Cashier.

Wallace
D. A. Wall-

\$3.65-

Recd of W. A. Hallam
Three Dollars + Sixty five cents
C. B. Burt

1889
Nov. Geo. A. Swallow, Miles Gray, & Leath. Brown. Jr.
To the Clk. of the City of New York. Let.
Filing 2 vols. 30 - Decree for sale & co. & note. 1.00.
Com. bond. 50. filg. 15. recd. 50. copy. 40. filg. co. 15.
cert. of bond. 25. tax. & copy costs. 40. } \$3.65
H. P. Young Clk.

Recd. Dec 10th 1892 of G. F. Jaynes fourteen
(14) dollars on Kentucky bond

W. S. Hallen

Spec. Cur.

Bill of Costs,
Gentry
m
Gentry

Gwallney G.A. etc.,

3. $\frac{1}{2}$ Bell Court

Gwallney etc., to Octo/89

Atto. fees & tax 16 50

Clerks fees 8 $\frac{1}{2}$

Shelf. " 50

J. A. Branch Court. 2 00

B. C. Roberts " 2 00

James Whitting " 2 00

Total to Octo. 1889 \$31.42

Leeds, N. O. Young etc.

Rec'd. of W. S. Hall and Special Comm. in the
suit of Swatney &c. vs. Swatney et al.
ten dollars in part of share in the pro-
ceeds of said suit and in the estate
of Peter Swatney dec'd.

Dec. 17th 1891
witness

E. W. Kelley

Sarah Catherine ^{her} Brown
who was ^{and} Swatney -

Rec'd. Feby 8th 1892 of W. T. Rhades fifty
dollars in full for rent of the Hines
Field for the year 1892

Rec'd. July 10th 1892 of Geo. S. Hallam
Special Comm. in Amt of Rev. atty & c. vs
Peter Swattin's Adm'r. et. al. & c.
ten dollars in full on interest
of said word in Peter Swattin's
estate
witness A. S. Johnson
Res. X Mingo
ink

AUCTION

OF REAL ESTATE! SALE

Pursuant to a decree pronounced by the Circuit Court of Isle of Wight county in the cause of Gwaltney et. als. vs. Gwaltney et. als., I shall offer for sale at public auction, at Isle of Wight Court House on

Monday, March 3, 1890,

the Real Estate of which Peter Gwaltney, deceased, died, seized and possessed subject to the widow's dower, already assigned to her. There are two tracts: one containing 60 acres, more or less, the other 22 acres, more or less. Sale in gross and not by the acre. The 60-acre tract adjoins the lands of Mr. Lemuel Branch and others; the 22-acre tract adjoins the lands of Mr. Charlie Joyner and others, and is the land assigned the said widow for her dower.

Any one wanting a small farm would do well to examine the premises before the day of sale.

TERMS: One-third cash, the rest one year after date, purchaser to give bond and security for deferred payment, title retained till the further order of court.

R. A. Edwards, Crier.

W. S. Holland, Special Com'r.

January 31, 1890.

CLERK'S OFFICE, ISLE OF WIGHT COUNTY, to wit: I, N. P. Young, Clerk of the Circuit Court of Isle of Wight county, do certify that W. S. Holland, the commissioner of sale appointed by the decree mentioned in the above notice of sale, has given the bond required by said decree with surety deemed sufficient by me. Given under my hand this 22d day of January, 1890.

N. P. YOUNG, Clerk.

To The Hon. C. W. Hill Judge of the
Circuit Court of Isle of Wight Co.

The undersigned was
required by a decree in the cause of
Gwathney vs. Gwathney et al, to
report concerning my transactions
as Executor of Peter Gwathney dec'd.
beg to say; that Peter Gwathney
left a horse, a cow, a small crop,
and a few hogs, some household
and kitchen furniture all which
was claimed by Lucretia Gwathney
widow of said Peter Gwathney dec'd.
under the "Poor Debtor's law" and
said respondent permitted her to
take said property and so nothing
at all came into his ~~hands~~^{hands}.
He never received one cent in ~~money~~^{money} and
never received any property and therefore
distributed none.

Respectfully Submitted
Geo. A. Gwathney ex^r or
of Peter Gwathney dec'd

Realty &c.

vs.

Realty & others

Report of Geo. A.
Realty Executor

//

Filed, Nov. 5th 1889.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

Secretia Goatting
widow of Peter Goatting decd. and
Carried Ming Minger, the best and
infant under the age of 21 years.

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for
the said Court, on the ^{third} ~~first~~ Monday in *March 1889*, next, to answer *the Bill*

in chancery filed against them by George W.
Goatting, Wells Gray, Catharine Goatting and
Catharine Brown

of a plea of *non* for \$ *—* Damages \$ *—* And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *6th* day of

March, 1889, in the *113th* year of the Commonwealth.

N. P. Young *clerk*

Geological Geo. a
et al.

to. by Secd. to
by Asst. Bill

Geological Section
et al.

To Hudson B. Monday
in March 1889.
W. S. Hollandy.

Reference by returning to the Western Museum
Geological Section a fine copy of the
Western Museum Museum 45th 1889
To C. Edwards
Staff.

The separate answer of Clarence Munga an infant under the age of twenty one years by R. S. Thomas an attorney at Law, his guardian ad litem, assigned to defend him, to a bill of complaint exhibited against him and others by George A. Swallow and others in the circuit court of Isle of Wight County:

This respondent reserving to himself the benefit of all just exception to the said bill of complaint, for answer thereto, as to so much thereof as he is advised it is material he should answer, by his said guardian ad litem answers and says:

That he is an infant under the age of twenty one years and by reason of his said infancy is incapable of understanding or taking care of his rights. He, therefore, by his said guardian ad litem commends himself to the court, and prays that no decree may be pronounced tending to his prejudice.

And now having fully answered, the said respondent prays to be hence dismissed with his costs in this behalf expended. And he will ever pray &c.

R. S. Thomas

Guardian ad litem
of Clarence Munga

Reverting to ad

ads } In change

Reverting to, ad.

Answer of Clarence
Ming to R. S. Thomas
his guardian ad litem

"
aff. Reelst. Mundy
Filed.

"

To the Hon. L. W. Hill judge of the circuit
Court of Isle of Wight County;

I am complainants, Geo. A.
Kneally, Mills May, Catherine Kneally now
Catherine Brown humbly complaining most
respectfully represent:

That in the early part of
the year 1888 Peter Kneally colored died
leaving a will which was duly proved
and admitted to record in the county court
of Isle of Wight County, a copy of which will
and certificate of probate is herewith filed
as an exhibit marked "A" and prayed to
be read as a part of this bill. I am com-
plainants say that said Geo. A. Kneally
qualified as executor under said
will and gave bond as will appear by an
abstract of the records of the said county
court marked "B" and prayed to be read
as a part of this bill:

I am complainants say that
there is no personal property at all except
that claimed by the widow Lucretia
under the "Poor Debtors" law of this State
and that the real estate named
consists of two small tracts of 22 & 62
acres, on one of which said Lucretia
now lives, that this property is rapidly

diminishing in value year by year, in this way, the fences are rotting down, the ditches filling up and the old buildings are now almost worthless and that the land is being pillaged by unknown parties, that in all probability their interest in said land will be almost, if not quite, worthless at the death of Lucretia. Your complainants one the only devisees under said will except Lucretia Knattley the widow of said Peter Knattley dec'd. and Clarence Minger who is under the age of 21 years and your complainants and the foster of said Clarence all agree that a sale of said land is essential to the best interest of ^{all} the parties entitled thereto:

For as much as your complainants are without remedy save in this Hon. Court of Chancery where such matters are alone and properly cognizable they pray that Lucretia Knattley the widow of Peter Knattley dec'd. and Clarence Minger the last an infant under the age of 21 years be made parties defendants to this bill and required to answer the same, but an answer on oath is hereby waived as provided by statute, that the share of said Lucretia in said

real estate be allotted and assigned
to her by Commissioners, that the rest
be sold and the proceeds divided amongst
the parties entitled thereto, that said
will be construed and the respective
rights of all parties thereunder be
declared, that the costs of this suit,
including a reasonable fee to W.S.
Holland Counsel conducting this suit,
be paid out of the proceeds of sale of
said property; that all such other and
further general relief may be afforded
your complainants as the nature
of this case may require or to equity
and good conscience shall seem
meet. And they will ever pray &c.

W.S. Holland, Jr.

W. S. Hall and 77
Enrollment at age
vs { Bill
In change
Enrollment re. at. age.

March Rules, 1889.

Secus. 24th on adalt. &
decreased in. lux.

"Apr. Res. 1. Monday - R. S.
Thoms apptd. gov. addition
to infra dept. this and filed
& sub. repl.

"Apr. Res. 3. Monday.
set for hearing.

"Nov. 11th 1889. reports conf.
power assign. decrea for sale

Oct term 1892

Re. awarding rule by J. J. J. J.

April 1893. Final