

1894-007 Chancery Causes. John A. Stephenson, Joseph W. Hart & Thomas O'Donovan & ux
vs Henry Whitley & ux & James Vinson, by & c
Isle of Wight County
Petition of John A. Stephenson & James Vincent

Filed

other surnames: Stephens, Hall,
Edwards, Jordan, Parkinson,
Turner, Womble, Pulley,
O'Donnell, O'Donovan,
Parkerson, Donovan

That such other, further and general
relief may be afforded your complai-
-nt, as the nature of the case may
require and your complacencies
will ever pray Geo Waddice Jr

Stephenson & Co
v. } In
} Chancery

Whitley & Co

Oct term 1893

Reports confirmed, de. to deposit
and for acts.

Dec. 13th 1894 spl. term
Final Decree

Stephenson & Co

v. Bill in
Chancery

Whitley & wife sale

Sept. Rls. 1891 C. Filed
Sum. 24th & de. nisi.

Octo. Rls. Bill to leave
for conf. & set for
trial in 1892.

Augt. Rules 1890. Sum.
n. adm. of all except 1890
24th de. nisi n. him

Sept. Rules 1890 -
Original & sup. bills
taken for conf. as
adm. of all except 1890
& set for trial
in 1891.

Oct term 1890
Repts. conf. de to pay
fines &c.

surviving children - that his said widow, the said Polly Edwards never married but has departed this life; that the surviving children of the said testator were Gilla, Catharine and Mary.

Your complainants further state that before the death of the said Polly Edwards (widow Mary Edwards, a daughter aforesaid, intermarried with one Jessie Stephenson and died leaving three children Juv. A. Stephenson, Martha Stephenson, now the wife of Thos. O'Donovan one of the plaintiffs in this suit, and Susanna Stephenson, who intermarried with one Henry Vinson, both of whom are now dead but leaving a son James Vinson and infant depend. to this suit. That Catharine Edwards intermarried with one Henry Whitley both of whom are now living and defendants to this suit; that Gilla Edwards intermarried with one Levin Parkinson, that during her marriage she and her husband sold their interest in said estate to one Wm. Hall - that after the death of said William Hall the said interest acquired by him from Parkinson and wife was conveyed to Geo. Jordan and that the said Jordan has conveyed

the same to Joseph W. Hart one of the plaintiffs in this suit.

And your complainants further claim, that under the will the said real estate should be sold and the proceeds distributed amongst the parties in proportion to their respective interest therein.

In tender consideration whereof and for as much as your complainants are unable in the premises save by a court of equity, where matters of the kind are alone and properly cognizable, your complainants pray that the said Henry Whitley and Catharine, his wife, and James Vinson (infant under the age of twenty one years) be made parties defendant to this bill, and be required to answer the same, that a proper guardian ad litem be assigned the infant defendant to defend his interest in the suit. That the said real estate be sold and the proceeds thereof be distributed among the parties entitled thereto. That your honor will be asked to allow a fee to plaintiffs counsel out of the moneys arising under this suit and that proper process may issue forth.

To the honorable George Blow
Judge of the Circuit Court of Isle of Wight
County, Virginia

Humbly complaining, shew-
eth unto your honor your complainants, Jas.
A. Stephenson and Joseph W. Hart of the County
of Isle of Wight & State of Virginia. and Thomas
O'Donovan & Martha his wife (late Stephens)
of the City of New York, that one Robert Ed-
wards, late of Isle of Wight County, departed this
life many years ago having his last will
and Testament, which was duly admitted to
probate in the County Court of said County,
a certified copy of which is herewith filed
(Marked A) and prayed to be taken as a part of
this bill; that by said will of Robert Ed-
wards it will be seen that he bequeathed
to his wife Polly Edwards during
her life or widowhood the whole of his
land, which land consisted of a certain
tract situated in the County of Isle of
Wight, containing 62 acres and adjoining
the lands of Elisha Whitley & others, that
the said testator by his said will directs
that at the marriage or death of his wife
the whole of his estate both real and per-
sonal (with certain exceptions of personally)
should be sold and equally divided amongst

Stephenson & als

V. { Amended & sup-
plimentary Bill

Whitley & wife & als

August Reels, 1844

Sept. 19. 44
found & delivered to
Whitley wife - W.D. Henry
app. god. add. to the
infant. Sept. 16. 44
found. Reels.

Sept. Reels, 1844, found
Sept. 18. 44 taken for comp.
as to Whitley wife & als
for the same.

Oct. 77. Slave's free
answer re.

Apr. & Oct. 1878. And.

Apr. 1879. And.

Oct. 1879. New parties

Oct. term 1887.

Am. revised, and R. A.

Edwards & Cliff. v. Adams of

Henry Whitley & als. made

proty re:

Apr. term 1888.

re. for further acc'dy
to be heard in location

Oct term 1888

Decree for sale

Oct term 1894. Reels & als
Reels & als, to collect & pay out

Let M. W. & als to B.

to their satisfaction re: als. That the proper
account-keeping be taken care a proper ac-
count of each and every party's house among
said parties. That the said parties be
further more persons selling money to persons
in the nature of the parties' care
again care to every party's care

wish to correct that error and hence the
necessity of filing this amended & supple-
mental bill. They find that said Levin
Duttonson & Zilla his wife sold and con-
veyed their said interest to James M. Turner
by deed dated 2^d May 1836 which was duly
recorded and the original of which is her-
ewith filed as an exhibit marked X.
That afterwards said interest was conveyed
to W^m Hale by Thomas Hale County Clerk
deem of the of higher Circuit Court in and for
Turner vs Turner by deed dated 7th July 1851
which was duly recorded, the original of
which deed is herewith filed as an exhibit
marked "Y". That then the title to said
interest descended to said Joseph W. Hart
in the manner described in the original
bill as shown by the exhibits filed there-
with. Born complainants again charge that
They are entitled to have said land sold &
the proceeds divided according to their respec-
tive rights. They are without remedy at law
&c. and they pray that said Henry Whittly and
Catherine his wife and the said James Dutton-
son infant, &c. by his guardian ad litem, may
all be made parties defendant to this
amended bill & required to answer the same
That said land may be sold and the proceeds
divided among all said parties according

was seized and possessed of a tract of land
 in said County containing sixty two acres
 more or less adjoining the lands of Elisha
 Whitley and others. That said Polly Edwards
 never married but has since departed this
 life. That said Mary Edwards daughter of Robert
 Edwards married one Jesse Stephenson &
 died leaving three children, John A. Stephenson
 Martha Stephenson, (now the wife of Thomas
 Chapman) and Susanna Stephenson who
 married one Henry Vinson both of whom
 have died leaving as their heir at law James
 Vinson an infant &c. That Catherine Ed-
 wards married one Henry Whitley both of whom
 are now living. That Fellen Edwards married
 one Levin Darrinson & that she and her
 husband sold their interest in said land
 to Wm. Stule after whose death said interest
 was sold to Geo. H. Jordan who conveyed
 it to said Wm. Stule. Exhibits were filed
 with said bill and process issued against
 said defendants none of whom have an-
 swered save James Vinson the infant who
 answered by his guardian ad litem. Upon
 examination have discovered that they were
 in error in their original bill in the state-
 ment that Levin Darrinson & wife sold their
 interest in said land to Wm. Stule, and they

Very on the 20th day of 1877 was that
 since her death the said Henry Whitley and
 Catherine his wife have possessed in pos-
 session & enjoyed the said same property
 of said land as the persons living

In the Hon. Jas. B. Low, Judge of the Circuit
Court of the County of Wright County;

The undersigned and
supplemental bill of John A. Stephenson and
Joseph W. Hart of the County of Wright County - &c
and Thomas O'Donnovan and Martha, his
wife (late Stephenson) of the City of New York
respectfully sheweth that heretofore to wit
at Sept^r term 1875, they filed their original
bill in the said Court against Henry Whitley
and Catherine, his wife and James Benson
an infant under twenty one years of age,
setting forth that Robert Edwards of said
County departed this life many years ago
leaving his widow Polly Edwards surviving
and as his heirs at law his three children
Bella, Catherine and Mary Edwards. That
previous to his death said Robert Edwards
made and executed his last will and testa-
ment in writing which was acknowledged and
admitted to probate in the County Court of
said County, in which he ~~devoted~~ bequeathed
all his real estate (among other property) to
his wife Polly Edwards during her life or
widowhood, and at her death or decease
the same to be sold and the proceeds divi-
ded among his surviving children. That
at the time of his death said Robert Edwards

Shelton's rules
by

Whalley, rules

Shelton's
John W. Shelton's
James Vincent

To the Honble Wm Hall Judge of the Circuit Court of
Dist of Virginia

Yours petitioners John K Stephens and James Vincent
petition to assist depending ⁱⁿ ~~your~~ your honorable
court styled Stephens and others against Whalley
and others and that they together with Matthew O'Donovan
were ^{partly} ~~entitled~~ ^{or one expects each} to and ~~share~~ of the proceeds of sales of land
sold by decree in said suit. as will appear by Report of
Commissioner Sperry under date of the 11th of October
Term 1890: that the said John K Stephens and Matthew
O'Donovan are brother and sister and James Vincent,
is the only child of a deceased sister, and is the sole heir
at law of one Mary Edwards.

That the said Matthew O'Donovan many years ago was
a citizen of the State of Virginia but moved to the State
of New York and has since returned and has been
heard from for the space of some three or four years
although search and enquiry has been made for him
your petitioners therefore conclude, that the said Mat-
thew O'Donovan is dead and as they are informed such
is the presumption of the laws of this State, they there-
fore pray that the share of the said Matthew O'Donovan
be divided between them as the only heirs, and your
petitioners will ever pray &c

John K Stephens
James Vincent
by Geo Kitcheson their
attorney at law

Stephenson et al.

v. $\frac{3}{3}$ In ch.

Whitley et al.

Answer of inf. deft.

Filed Sept. 18th 1846.

The answer of James Vinson,
infants under the age of twenty one
years by ~~them~~ ~~their~~ N P Young his
guardian ad litem, to a bill in
Chancery filed in the Circuit
Court of the Dist of West Va Virginia
against him by Geo A Stephens
and others.

This respondent, for answer to
said Bill says that he neither admits
nor denies the allegations set forth in
the said Bill, and that being an infant
of tender years, and ignorant of his rights
in the premises, or what may be best
for him, respectfully submit his
~~and~~ interests to the Court, and pray
that no order or decree be made
in the said cause that would result
to his injury.

and having answered pray I do
signed

N. P. Young, Guardian ad
litem.

Thompson et al.

vs. Dr. Chy.

Whalley & wife et al.

The answer of the
infant James Vincent

Filed Accept. Rules 1847

In the Circuit Court of Isle of Wight County.

To the Honl. George Blane Judge of the said Court.

The answer of James Vincent an infant by A. P. Young his guardian ad litem, ^{amended & supplemented} to the Bill in Chancery filed in this Court against him & others at the August Term, 1844, by John H. Stephens & others.

This respondent, by his said guardian ad litem, for answer to the said supplemented & amended Bill, answers & says that he is an infant under twenty one years of age. That he neither admits nor denies the allegations in said Bill and begs to submit his interests to the protection of this Honl. Court.

(Signed) A. P. Young guardian ad litem for James Vincent

County and made oath that the statements
contained in their foregoing Answers, so far
as derived from their own knowledge are
true, and so far as derived from others, are
true to the best of their knowledge and
belief; and the said Nathaniel being by me
examined privately and apart from her said
husband, and having the same fully explained
to her, she elected, in the event of the Court
being of opinion that she was only entitled to
one third of the land of which Robert Edwards
died seized, that she would take her share
in kind.

Given under my hand this 2^d day of
October, 1877. C D Rogers

Stephenson et als
vs
Whitley & wife et als

Answers
of
Whitley & wife

as exhibits with said bills, from Thomas Hall,
Commissioneer, in Turner per friend versus
Turner, to William Hall and of Thomas Hall,
executor of William Hall, and Rose Ann Hall
to William Hall, do not convey or attempt to
convey said interest in the testators land.
That your respondents are informed, and so
charge, that the interest in said land, given
by said will, was as aforesaid a personal
interest, and hence the interest of the said
Mary therein, if any, passed on her death
not to her real, but to her personal
representatives, who is not a party to this
suit, although a necessary party.
That your respondents pray that having
answered, they may be hence dismissed
with their cost in this behalf, most
unreasonably expended, and they will ever
pray &c.

s. Henry ^{his} Whitley,
y. Catharine ^{his} Whitley,
Wife

Isle of Wight County to wit:

I C. B. Hayden a
Notary Public for the County aforesaid, in the
State of Virginia, do Certify that Henry
Whitley and Catharine Whitley, his wife, whose
names are signed to the Answer annexed,
personally appeared before me, in my said

respondents are informed and so aver, that if the Court ^{of opinion that these defendants are} should be, entitled only to one third of said land, that they are entitled to have one third of said land allotted to them, containing the improvements made by them without valuing such said improvements, all of which improvements are confined to less than one third of the land in value exclusive of said improvements, and your respondents pray that if the Court should be of opinion that the said Catharine is only entitled to one third of said land, that one third thereof may be allotted her, so as to include in her share, the said improvements without estimating the value of the same.

Your respondents are further informed, and so allege, that if a sale of said land should be decreed by the Court, your respondents are entitled to be compensated for ^{the value of} said improvements out of the proceeds of sale, before any distribution thereof..

Your respondents have no knowledge of the truth of the allegation of said bills (& therefore demand proof of the same) of a title in the Complainant, ^{Joseph W. Hask} to one third of said land, even under the construction of said will, which gives to ^{said} Zella, (under whom said Complainant claims) $\frac{1}{3}$ of said land as the deeds filed

had grown up in woods, and the fences being down, they enclosed under a good fence, about $\frac{1}{3}$ of said tract, and have kept the same under good cultivation, and greatly improved it.

That your respondents were induced to the belief of their said ownership, not only by their construction of the said will, but by the opinion of the said widow, who lived and died under the belief that your respondents were so entitled, from her conviction that such was the testator's intention. Your respondents submit to the Court, that the construction put by the Complainants on said will, making the survivorship refer to the death of the testator, is erroneous, and that the survivorship should be referred to the death of the widow of the testator, the tenant for life; under which construction, your respondents would be entitled to the whole of said land, as they supposed when they took possession of, and improved the same. Your respondents are informed, that if they are mistaken in said construction which gives them the whole of said land, that the said will presents a case of equitable conversion, and that the interest in said land passes to the beneficiaries, as personal estate, with the right of election to hold their respective shares in said land in kind, and your respondents so elect. That your

by said Zilla and Mary. That the widow
of said testator died in April or May, 1873,
leaving your respondent, the said Catharine the
only surviving child of the said testator;
That under the honest belief that under the
said will, the said Catharine was the sole
surviving child of the said testator, your
respondents took possession of the whole of
the small tract of land of 62 acres, of which
said testator died seized and possessed, and
being under the honest conviction that your
said respondents were the sole and absolute
owners thereof, (the said Henry as tenant by
the courtesy and the said ^{Catharine} in fee simple) they
greatly improved the said land by permanent
improvements, to wit: the erection of a small
dwelling house of 18 + 22 feet, at a cost
of \$150; a smoke house of 10 + 12 feet, at a
cost of \$300; a corn crib of 12 + 16 feet, at a
cost of \$20.44 - a slab shelter-house, of 20 + 25 ft,
at a cost of \$75.00, ^{La Kithen at \$25.00} that prior to the death of
the testator's widow, she being without means
of support, and helpless, was supported by
your respondents, who under the aforesaid
belief that on the death of the said widow,
(the mother of your respondent, Catharine)
Your respondents would be the sole owners of
said land, cleared about 10 or 12 acres, which

Stephenson
vs
Whitley

To the Honorable George Blow, Judge of the
Circuit Court of Law and Chancery, for
the County of Isle of Wight in Chancery sitting:

The joint and several answers of
Henry Whitley and Catharine, his wife, to the
Original and Amended Bills of Complaint in
said Court, exhibited by John A. Stephenson,
and Joseph W. Hart against them and others.

These defendants saving and
reserving all right of exception to the many
errors and imperfections in said bill contained,
for answer thereto, or to so much thereof as
they are advised it is material for them
to answer, jointly answering say: that they
admit to be true the allegations of said bills
as to the death of Robert Edwards and of the
probate of his will filed with said original
bill, and of the provision of said will directing
that on the marriage or death of the wife of
the testator, that the property, real and personal,
given by the testator to his wife for life, should
be sold and equally divided between and amongst
his surviving children. These defendants
admit to be true, the allegations of said bills;
that the said testator left him surviving,
three daughters, Zilla, Catharine and Mary,
and the intermarriage of said daughters and
the death of the wife of said testator predeceased

Mr. A. Stephenson
& als.

v. ³ Sum. to
ans. Bill &

Henry Whitney wife
& als.

To Sept. Rules 1876.

Geo. M. Waddell for

Executed by delivering
to the within named
Henry Whitney and
Sarahen his wife
each a true copy
of the within and
Aug. 26th 1876.

L B Edmund
M. Hayden
Shiff

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Henry Whitley and Catharine*
his wife, who was Catharine Edwards, and James Union,
the last an infant under twenty one years of age,

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said
 Court, on the first Monday in *September* next to answer *the Bill in chancery*
of John A. Stephenson, Thomas O'Donovan & Martha J. his
wife, late Stephenson, and Joseph W. Bast

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

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *21st* day of

August 187*6*, in the *101st* year of the Commonwealth.

N. P. Young cks

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

*Henry Whitley and Catharine
his wife, and James Vincent, an infant.*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *August* next to answer *the amended and*

*supplemental bill of John A. Stephenson & Joseph O.
Hart and Thomas O'Donovan & Martha his wife
(late Stephenson)*

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

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *4th* day of

July 187*7*, in the *10²nd* year of the Commonwealth.

N. P. Young, Clerk.

Stephenson, J. A.

3 clms. in
3 clup.

L. P. Edwards,
adm. of M. Stephenson

To Aug. 1880.
Waddell, Ky.

Source of the
within accepted

July 30th 1880

L. P. Edwards
Stff

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

*L. B. Edwards adms.
of Mary Stephenson*

to appear at the Clerk's Office of the Cirenit Court of Isle of Wight County, at Rules to be holden for the

said Court, on the first Monday in

August 1880 next to answer *the original*
Thomas O'Donovan & Maclellan his wife & Jno W. Robertson
& Supplemental bills of Jno. A. Stephenson filed
vs. Mary Whitley & wife & others

of a plea of _____ for \$ _____ Damages \$= _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *16th*

day of *July* 187*80*, in the *105th* year of the Commonwealth.

N. P. Young

Henry Thielig &
wife chas. 1

2 Pa. in
ato. 3 arts.

Geo. A. Thielig
chas.

No 54 - Aug. 1882
before H. P. Thielig
Common law.

Exhibited Aug. 15-1882

J. B. Edwards Esq.
D. Edwards Esq.

No 23

Chas. Thielig

Previously captured before we on the 10th day
of June 1888, Geo. W. Cooke had made some
killed on the 10. April 1888, the specimen this
specimen on the 10th June 1888, the specimen
Geo. W. Cooke

born & reared to the day and year
June of 1888, Geo. W. Cooke, Henry all
Hens,

H. Collett's

adul.

ad. 3 shot

Stephenson

To 10. Apr. 1888

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting :

WE COMMAND YOU TO SUMMON *E. P. Worthy, R. H. Peckey,*

W. a. Worthy & Oliver Stephens and Geo. T. Whitley

N. P. Young, a commissioner of the

to appear before the Judge of our *Circuit* Court of Isle of Wight county, at the Courthouse, on the

10th day of *April*

, 188*8*, to testify and the truth to say in behalf of

the admors. of Henry Whitley and wife

in a certain matter of controversy in our said Court before our said Judge depending and undetermined between

Jos. a. Stephenson & co. plaintiff and

said Henry Whitley & wife defendant

And this shall in no wise omit, under the penalty imposed by the law. And have then there this writ.

WITNESS, N. P. YOUNG, Clerk of our said Court, at the Courthouse, this *9th* day of *April*

188*8*, in the *11th* year of the Commonwealth.

N. P. Young clk

NOTE.—If witness desires his attendance entered he will inform the Clerk before leaving Court.

Sturgeson et al.
vs. Buckley,
Deeley et al.

Depositions taken
before court,
on accounts

Filed with the
court Sept. 10.
A. J. 1888.

R. N. Pulley being duly sworn, deposes
that he has known the land of Robert
Edwards & Co. for 45 years, that he has
read the deposition of E. P. Womble
and fully concurs with him in his
answers. And further saith not.

R. N. Pulley

The foregoing deposition was taken and
subscribed on the day & place mentioned
in the caption.

Given under my hand Apr. 10. 1888,
J. P. Moore J. Com.

A.

differ with him?
I ^{have} agree and concur with the said
George T. Whitley in said answers in
all respects, except that I consider
the fair value of said land at the
present time to be \$500 -
and further this deponent said not.
W. A. Wamble

E. J. Wamble being duly sworn deposed
as follows:

Q. 1.

Please state your age and residence?

A.

I am 59 years old, and reside in Del
of High Co.

Q. 2.

Have you heard the last four questions
propounded to the witness George T. Whitley
and his answers thereto, and do you un-
derstand the same - If yes, please
state whether or not you concur with
him in what he has said in his said
answers, and if not in what particular
do you differ with him?

A.

I ^{have} agree and concur with the said George
T. Whitley in said answers in all respects
except that I consider the fair value
of said land before the timber was cut
therefrom to be \$500.00.
and further this deponent said not.
E. J. Wamble

of the land in question.

Q. 2.

Have you heard the last four questions propounded to the witness George T. Whitley, and his answers thereto, and do you understand the same. If yes, please state whether or not you concur with him in what he has said in his said answers, and if not, in what particular do you differ with him?

A.

I ^{have and} agree and concur with the said George T. Whitley in said answers in all respects.

And further this deponent will not

Oswald ^{his} X Stephenson
man

William A. Stouckel, being duly sworn deposes as follows:

Q. 1.

Please state your age and residence?

A.

I am 55 years old, and reside in Del. of Hyllet Co. at court house.

Q. 2.

Have you heard the last four questions propounded to the witness George T. Whitley, and his answers thereto, and do you understand the same. If yes, please state whether or not you concur with him in what he has said in his said answers, and if not in what particular do you

improvements of your own knowledge?

A. I know of my own knowledge that they have made improvements by erecting buildings &c. to the value of, I suppose about \$200.⁰⁰

Q. 5. Please state what you consider the value of said land at the time of Mrs. Polly Edwards' death, and at the present time, and whether or not the improvements you allude to, were made before or subsequent to the death of said Polly Edwards?

A. I consider \$300. a fair value of the land at the time of the death of Mrs. Polly Edwards, and \$400.⁰⁰ a fair value of said land at the present time. Some of the improvements were made prior to, and some subsequent to the death of Mrs. Polly Edwards.
and further this deponent said and
George J. Whitley

Oliver Stephenson, being duly sworn
deposes as follows:

Q. 1. Please state your age and residence?

A. I am about 63 years old, and reside in the town of Wright County in the vicinity

Edward deed. If you, please, state what you believe would be a fair estimate from the rents and profits of said land during the time that it has been so occupied?

A. I am acquainted with the said land, and have been for 40 years or more, having lived in its vicinity all my life. That I consider a fair annual rent from the time of Mrs. Polly Edwards death up to the present time would be \$20. a year.

Q. 3 Please state, if you know, who has occupied that land, from the death of Mrs. Polly Edwards to the present time, and whether or not within your knowledge, any person has received rent for the same?

A. Henry Whitley and wife occupied the land from the death of Mrs. Polly Edwards until the death of said Henry Whitley, and since his death his widow has occupied the same. With in my knowledge no person has received rent for the same.

Q. 4 Please state whether or not Henry Whitley and his wife have made any improvements on the said land beneficial thereto and the value of said

The depositions of George T. Whitley, Oliver Stephenson, E. P. Womble, W. A. Womble & W. H. Pulley taken before N. P. Young a commissioner in chancery of the circuit of Isle of Wight county, on the 10th day of April 1888, to be read as evidence in the matter of accounts before the said commissioner under decrees of the April term 1887, and October term 1887, rendered by the Circuit Court of Isle of Wight County in a suit in chancery therein depending between Jas. A. Stephenson et al. Plffs. and R. A. Edwards et al. Defts. of Henry Whitley decd., Catharine Whitley wife of said Henry Whitley et al. Defts. Taken by consent in the absence of Counsel on either side. George T. Whitley being duly sworn deposes as follows:

Q. 1. How old are you, and where do you reside?

A. I am 56 years old and reside in Isle of Wight County about 1 mile from N.

Q. 2. Are you acquainted with the land known as the Robert Edwards land which was occupied by Henry Whitley and Catharine his wife, since the death of Percy Edwards, widow of Robert

Stephens et al.
@ 3 Depos.
Whitely et al.

Filed with Com.
Money acct. under
date of Oct. 1893.

On this 15th day of February
1894, before me, N. P. Honey, a
commissioner in Chancery for the
circuit Court of Isle of Wight
County, personally appeared James
A. Whitley and made oath in
and before of law, that he is
forty years of age, that he knew
Martha O'Donnovan, that the
last time he saw her was about
fifteen years ago, and that he
has not heard from her since
the receipt of her letter referred
to in the foregoing Deposition
of James Vincent.

J

James A. Whitley

Done to and subscribed
by James A. Whitley the day & year
above first mentioned.

N. P. Honey Court,
in Chancery.

3 quest.

Please state when she was last heard from or seen by yourself or by any other person in your knowledge?

Ans.

I have not seen her in about fifteen years, nor have I heard from her in that time. I have seen a letter from her to Mr. J. A. Whitley, or at least it is signed by her, dated 30th Nov. 1885, the same filed marked "J." as part of this deposition, and that is the last I have heard of or from her. I could not find her in the
And further the deponent swears not.

J. A. Vincent

I, A. P. Young, a commissioner in chancery of the Circuit Court of Dale & Wright counties, certify that the foregoing deposition was taken & sworn to by the deponent before me on the day and year mentioned in the caption.

A. P. Young Comm.

The Deposition of James Vincent,
taken before H. P. Young, a Commissioner
in Chancery of the Circuit Court of
Isle of Wight County, at his office in
said County, on the 15th day of Feb'y:
1894, to be read as evidence in a
suit in Chancery depending in the
said Court, in which Jas. A. Stephenson
et al. are plaintiffs, and ~~the~~ ^{the} ~~advers~~
of Henry D. Hittley et al. are
defendants.

Present - W. S. Holland and
Geo. B. Atkinson attor: for plffs. and
defendants.

1 quest. The said James Vincent being
first duly sworn deposes and says,
Please state your age, your place
of residence, and whether or not
you know or knew Martha O'Don-
ovan one of the parties in interest in
the said suit & what relation was she to you?

Ans. I am twenty seven years of age; I reside
in Isle of Wight County, I knew Martha
O'Donovan, she was my aunt.

2 quest. Please state whether or not said Martha
O'Donovan is living, and if so where
does she reside?

Ans. I do not know whether she is alive or not

Stephenson v.
M. E. M. Chap.
Whitley et al.

Deposition filed
with Court. Young,
ref. 11, July 1894
"

was his first cousin. That he
was never heard from said child
in the past fifteen years, mention
being of it relations there as heard
from said child,

James C. Whitley

Sworn and subscribed to before me
by James C. Whitley, on the day and
year first herein written.

J. D. Spencer Comr,
in Chgo.

On this 10th. day of July, 1894,
before me W. P. Young, a commissioner
in Chancery of the Circuit
Court of Isle of Wight County, personally
came James A. Whitley, of said
County, aged forty two years, and
being duly sworn, declares that
he knows Martha O'Donovan,
one of the heirs at law of Robert
Edwards decd; and a defendant
in the suit pending in said Court
between John A. Steptean plaintiff, and
the admors. of Henry Whitley et al.,
defts; That she left the County of
Isle of Wight about fifteen years
ago, That he has not seen her
since, and that he has not heard
from her since 1885, That he has
not, nor has any one of her other
relations heard from her since
1885, and he has every reason
to believe that she is dead, he
having never received an answer
to his letters to her in New York.

That ^{when} she left him or said County,
she had a small child but whether
or said child is living or not, he
does not know.

That said Martha O'Donovan

The value of
the land of
Robt Edwards,
as shown by
Land Book of
1877.

The Land Books of 1877: shows that there is
62 acres charged to Robert Edwards's heirs.
The buildings on said land is valued
at \$100.⁰⁰, and the total valuation
of land, including buildings &c. is
\$248.⁰⁰.

Teste. W. A. Edwards dep^y
for N. S. Young att^y

Office to
J. M. Loring 600.

St. * R. A. Loring

Sold to James A. ^{Grat}
Whitely for \$600 on
the 7th day of July. 1889
W. S. H. Sec.

FARM FOR SALE!

Pursuant to a decree in the suit of Stephenson, et als., vs. Whitby and wife, et als., rendered at the October term, 1888, of the Circuit Court of Isle of Wight County, I shall sell at

PUBLIC AUCTION

— TO THE HIGHEST BIDDER, —

ON MONDAY, JANUARY 7TH, 1889,

at Isle of Wight C. H., it being court day,

All that valuable tract of land in Isle of Wight County, about two miles from the Court House, called the "ROBERT EDWARDS LAND," adjacent the Lands formerly of ELISHA WHITBY, which tract contains

SIXTY-TWO ACRES, BY THE RECORDS.

SOLD IN GROSS AND NOT PER ACRE.

TERMS.---*One third cash; Balance, in one and two years, with good personal security for deferred payments. Title retained 'till the further order of Court.*

R. A. EDWARDS, Crier.

W. S. HOLLAND,
Special Commissioner.

STATE OF VIRGINIA,

CLERK'S OFFICE OF ISLE OF WIGHT CIRCUIT COURT, To-wit:

I, N. P. YOUNG, Clerk of the said Circuit Court, do certify that the bond required by the decree referred to in the above notice, has been given, with surity deemed sufficient by me.

Teste:

N. P. YOUNG, Clerk.

It is important that the inquiry should be deliberately considered.

Attention is called to the questions relating to hops, which are only applicable to certain States and sections.

The answers should all be given in figures placed in the blank spaces under the questions. In representing "Quality" compared with last year, or "Condition"—by which expression is meant unimpaired vitality and medium growth—100 will be the basis; an increase of one-tenth, or ten per cent., will be recorded 110, and a decrease of five per cent. will be marked 95, &c. A total failure should be indicated by 0.

Respectfully,

NORMAN COLMAN,

Commissioner.

INSTRUCTIONS TO CORRESPONDENTS.

Use the circular only for the report. Make all other communications on a separate sheet, of fair size, dated, showing County as well as State and post office; and when the latter is not in the county for which the report comes, the fact should be stated.

Assistant reporters will, in all cases, make their returns to the principal, who will compile a report to be forwarded to the Department by averaging the figures and statements of his aids, with such modifications as his own knowledge and judgment may dictate. He should also retain a duplicate copy of his report for future reference, an extra blank being furnished for that purpose.

Atto. fee & tax	16.50	J. B. Edwards	certif.	.50
Clerk " Cir. cot.	19.59	R. H. Pulley	"	1.00
Do. co. ct.	.50	E. P. Womble	"	1.00
J. B. Edwards	chff.	W. A. Womble	"	1.00
R. A. Edwards	"	Olevis Stephenson	"	1.00
G. M. Cook	Seriny ofr.	J. P. Roberts	"	.50
N. P. Gentry	Cond. in chg.	G. S. Whitley	"	.50
Officer fees &c	\$ 64.89			5.50
Witnesses attend.	5.50			
Total costs	\$ 70.79	to & including days for sale.		
		Total, N. P. Gentry clk.		

Stefleusan & wife et al. Pltf.

^{vs.} Whitty & wife et als. Dft.

Residence, Isle of Wight C.H.

Date, Jan'y 7th 1889

Am't \$600

Salient Points, Action, lands &c

enclosed. James A. Whitty
bought the land for \$600.00

Apr. ten 1889

Receipt, vouchers &c.
of W.S. Hall and
cons.

De cur

7-9-1-6
8-3-5
2-4-1-5
9-5-1-11-7
10-4-5
11-11-5

If not called for in 30 days, return to
W. S. HOLMES
ATTORNEY AT LAW,
WINDSOR,
ISLE OF WIGHT COUNTY, VA.

2.29
1.08

3.37

41.09
3.39

37.72 check

Thompson
3-16-91



W. S. HOLLAND,

ATTORNEY AT LAW,

Windsor Station,

N. & W. R. R.

VA.



Q. B. Edwards deposing as sworn, says that
he has known the Do. Edwards Band for
many years, in fact all his life and
he is 33 years old, and has read the
affidavit, subscribed by, of H. A. Edwards
and fully conversant with the same in his
and affidavit, A. B. Edwards

A. B. Edwards the above affidavit,
affirmed to the above affidavit
and signed the same before me the
10th day of Oct. 1888,

A. W. Young conf. in Chg.
Sec. of Right and Court,

Stephenson et al,

v. J. M. Chas,

Whitley et al,

Evidence filed
with com. Young;
report of 10th Oct.
1888,

Virginia,

County of Isle of Wight, To wit:

On this 29th day of Sept^r. 1888, before me,
N. P. Young, a Commissioner in chancery of the
Circuit Court of Isle of Wight County personally
appeared R. A. Edwards who being duly sworn
deposes and says that he has been well acquainted
with the land in the proceedings mentioned
in the suit pending in the said court wherein
John N. Hutchinson et al, are Plaintiffs
and Henry Whitley & Catherine his wife et al
are defendants and has known it for
fifteen or twenty years, and from his
knowledge of the said land, and the im-
provements thereon, he is satisfied that
the said land cannot be divided in
kind without injury to the parties
interested therein, because if so divided,
one of the parties would necessarily have
to receive all building with ^{a very} small portion
of land, which would be of no use except
as a residence, the said building in the
opinion of the affiant, being equal in
value, to one third of the land including
building, he therefore is of opinion that
the interest of all parties would be promoted
by sale of the entire tract.

R. A. Edwards

Seen to and subscribed by the said R. A.
Edwards before me the day & year above
written,

Teste, N. P. Young Com.

Joseph W. Hart

\$2.

Paid by
W. S. Hallow
cash.

J. W. Hart

Mr Joseph H. Veach & Supposed
1882 To Shipper's Insurance Co
July 15 To & Co. Corn. Notice on

New Wharf & Carriers
wife Joseph & Supposed
J. H. Veach

\$2.00

Read Journal

L. B. Edwards, Shil

W S Holland, Currier

1889 To Ro A Edwards Currier

July To Selling Ro. Edwards farm

500

Induction by J. A. Estlin

To. A. Edwards Currier

April 1st 1889.

Shepherd et al.
vs E In chig.
Whitely et al.

April term 1889

Report of W. S.
Hall and Spe.
Comm.

Filed Apr. 20th -
1889.

By	and. brought forward	✓	\$ 16.50
"	fees to A.P. Yang Comr.	✓	21.00 ✓
"	" " " " " clerk	✓	20.09 ✓
"	R.A. Edwards crier	✓	5.00 ✓
"	Printing how bills	✓	1.75
"	R.A. Edwards shff fees		1.50
"	Coms. on \$600.00	✓	21.00
"	L.B. Edwards sheriff (r)	✓	2.00
"	Bal in hand		111.16
To	and collected		<u>\$200.00</u> \$200.00

Jan Comr. says that so far he has
 been unable to see the parties to
 whom there is a small balance of
 costs still due.

Respectfully Submitted
 W.S. Hall and
 Special Comr.

Stephenson et. al.
vs. E

Whitley

The undersigned Jan. Comm. appointed by a decree at the Oct. Term 1888 of this Court a copy whereof is herewith filed as part of this report begs leave to report that pursuant to said decree, having first duly executed his bond as therein required sold the tract of land in the bill and proceedings mentioned at public auction as will appear by a bill with the criers endorsements thereon herewith filed, for the price and sum of six hundred dollars to James A. Whitley who was the highest bidder, that said purchaser paid two hundred dollars in cash and executed two bonds for \$200 each with L. H. Whitley as surety which bonds are herewith filed with this report. Jan. Comm. believes the sale a good one and believes the surety very good and therefore recommends the confirmation of the sale.

Jan. Commissioner has paid in part on costs as follows:

By Tax and taxable litig's fee	\$ 16.50
--------------------------------	----------

Stephenson et al,

vs. E. J. Chas,

Whitley et ux et al,

Report of Comr. Young
rendered over of a/c
1887 & Oct. 1887.

Filed 10th Apr 1888.

1	Main emptying & lay sand, under 1 st & 2 ^d dunes and	
2	ifling after for cutting 20 hours.	
3	Conrad. Dec \$15.00	H. H. Pease & Co. 1.00
4	Alfred. A. B. E. for	E. D. Pease & Co. 1.00
5	Sh. & sand, water { 2.70	A. B. Pease & Co. .50
6	Apr. Coast. Spa. 1.00	W. A. Pease & Co. 1.00
7	\$18.40	Acme & Pease & Co. 1.00
8	5.00	A. D. Pease & Co. .50
9	With & for sand \$24.20	E. J. Whitley " .50
10		Whitley & Pease \$5.50
11		
12		
13		
14		
15		
16		
17		

1 said Henry Whitley & wife on the 1. day of Jan
 2 1886, sold from the said land, to Ferguson &
 3 Brother, timber to the amount of \$50.00 which
 4 was paid to him by said Ferguson & Brother.
 5 From the facts set out and reported above,
 6 your Commissioner has made and reports
 7 the following statements, To wit:

8 By amt. of rents & profits from the land
 9 exclusive of interest 198 34
 10 " amt. rec'd. for timber sold from
 11 the land, exclusive of interest 50 00
 12 To amt. of improvements on land 200 00
 13 " " " taxes paid, exclusive of int. 32 48
 14 " Balance due to land 15 86
 15 \$248 34 \$248 34

16
 17 Same statement inclusive of interest.
 18 By amt. of rents & profits 198 34
 19 " interest on same 127 10
 20 " Amt. rec'd. for timber sold 50 00
 21 " interest on same 2 66
 22 To amt. of improvements 200 00
 23 " " " taxes paid 32 48
 24 " interest on same 12 20
 25 " Balance due to land 138 42
 26 \$378 10 \$378 10

27
 28 Given under my hand as a Commissioner
 29 of the said Circuit Court the day and year
 30 first aforesaid.

31 N. P. Young com.

32 over

1 duly acknowledged by the respective coun-
2 sel for the parties plaintiffs & defendants.
3 That on the day so filed report, your commissioner
4 took the depositions of witnesses who had
5 been caused to come before him, which are
6 herewith filed, and from the evidence
7 examined, reports that the rents and profits
8 from the said land, from the 23^d day of May
9 1873, the date of the death of Polly Edwards,
10 as shown by the register of her death, to 23 April
11 1888, amounts to the sum of . . . \$198. 34
12 that being the aggregate rent for 14 1/2 years
13 at \$20.00 per year, and embraces no interest.

14 The same annual rent, with interest in-
15 cluded on same from the expiration of each year
16 would show the amount of rents & profits to be \$325. 44
17 of which \$127. 10 is interest. And that the
18 improvements beneficial to the said property,
19 made by the said Henry Whitley & wife,
20 amount to the sum of \$200. 00.

21 Your commissioner reports, specially, that from
22 evidence before him, it is shown that the said
23 Henry Whitley, since the death of the said
24 Polly Edwards, widow of said Robert Edwards
25 dec'd: has paid taxes on the said Robert Edwards
26 land, amounting to the sum of . . . \$32. 48
27 Interest on which taxes from the time of
28 payment on each bill to 20. April 1888, is 17. 20
29 making of principal & interest sum of \$44. 68

30
31 Your commissioner likewise reports that, it
32 appears from evidence before him, that the

Commissioner's Office, Isle of Wight County,
April 10th 1888.

To the Circuit Court of said County.

Your Commissioner reports to the Court, that, pursuant to decrees of the said Circuit Court rendered, respectively, at its April term 1887, and October term 1887, in a suit in chancery therein pending, in which John A. Stephenson et. als are Plaintiffs, and Wm. A. Edwards Sheriff and administrator of Henry Whitley dec. et als. are defendants, directing a commissioner of the said Court to take and report the following accounts.

1st An account of the rents and profits from the tract of land in the proceedings mentioned, known as the Robert Edwards land, occupied by Henry Whitley and Catharine his wife, received or which ought to have been received by the said Henry Whitley and Catharine his wife since the death of Polly Edwards widow of said Robert Edwards dec.

2nd An account of the improvements, beneficial to said property, made by Henry Whitley and his wife, with any other matters deemed pertinent by himself or required by any of the parties to be so stated, on the 1st day of April, 1888. he issued notices to the parties, Plaintiffs and defendants, that he had fixed upon the 10th day of April 1888, to take and report the accounts so required by said decrees, and requiring them to attend at his office. That service of said notices was

Stephenson et al.,

vs. $\frac{1}{2}$ Dr. Chap.

Whitney et al.,

Report of Court.
Young under de.
of A. L. term 1888,

Filed Oct. 10. 1888,

1 be divided in kind for the reasons set out
2 by the evidence aforesaid, in which evidence
3 your commissioner, from his own personal
4 knowledge of the land and instruments,
5 concurs, and that a sale of the same would
6 be to the interests of the parties.

7 Your commissioner finds only one lien on the
8 land in the proceedings mentioned, and that
9 is a mortgage executed by John A. Stephenson,
10 one of the plaintiffs, executed to George F. Hall
11 to secure a bond due said Hall on the 1st day of
12 Decr. 1876, with interest from that day for \$29.50
13 Interest thereon to 20. Octo. 1888 21.04

14 Total liens on said land \$50.54

15 Given under my hand as a Commissioner
16 of the said court, this day and year first
17 herein written.

18 J. P. Young cllr

19
20 Fees employed &c. &c.

21 Commis. fee. 5.00

22 Sliffs. " 1.50

23 W. A. Edwards atty. .50

24 A. B. Edwards " .50

25 Costs before court. \$ 8.50

26

27

28

29

30

31

32

Commissioner's office, Isle of Wight
Court House, Octo. 10th 1888.

To the Circuit Court of said County.

Pursuant to a decree of the said Court
rendered on the 21st. day of April 1888, in
a suit in Chancery therein pending between
Jno. A. Stephenson et al., plaintiffs, and Henry
Whitley & Catharine his wife & others, defendants,
directing a commissioner of the court to make
enquiry and report to the court whether
or not the land in the Bill and proceed-
ings mentioned, can be divided in
shares, and if not, whether a sale of the
same would be to the interest of the parties.
And whether there are any liens on the
said land. Your commissioner reports to
the court, that on the 11th day of June 1888, he
issued notices to the parties, plaintiffs and
defendants, that he had fixed upon the
19th. day of July, 1888, as the time, and his
office aforesaid as the place, for making
the enquiry and report required by the said
decree, and requiring the parties to attend,
which notice, by consent, was duly served
on R. E. Boykin, W. S. Holland & W. S. Thomas
counsel representing the plaintiffs and
defendants. That all the parties failed to
appear and the matter was continued from time
to time until the date of this report, when,
from the evidence before your commissioner,
and which is herewith filed, he is of opinion,
and so reports, that the said land can not

Stephenson et al.,
vs. 3 On chp.,
Whitely et al.

Report of Court,
Horne under
decree of Oct. 1890.

Filed Feb. 9th
1891.

Comm. fee fortune employed \$4.50

under or from one of said heirs
and distributees, to wit:

John A. Stephenson a grandson - $\frac{1}{9}$

Martha O'Donovan a grand daughter $\frac{1}{9}$

James Vincent a grandson $\frac{1}{9}$

Catharine Whitley, widow, of Henry
a daughter $\frac{1}{3}$ $\frac{1}{3}$

and Joseph W. Hart estate in
the hands of Martha A. Hart,
his Executrix $\frac{1}{3}$

The said Jno. A. Stephenson and
Martha O'Donovan being children
of Mary Edwards and said James
Vincent being a grandson of said
Mary, who was a daughter of Robert
Edwards.

The said Catharine Whitley being
a daughter of said Robt. Edwards.
And the said Joseph W. Hart being
a purchaser and owner of
the interest of Zella Parkinson,
who was also a daughter of said
Robt. Edwards.

Given under my hand as one of
the commissioners of said Circuit
Court, the day and year first
above written.

A. P. Young, Clerk,

Stephenson Jno. A. et alr. . . Plffs.
vs. J. M. Chas.

Henry Whitley's admr. Kath. Whitley & as. Defs.
Commissioner's office, Isle of Wight County

February 9th. 1891.

To the Circuit Court of said County.

Pursuant to a decree of the said Circuit Court, rendered at the October term thereof, in the year 1890, directing one of the Commissioners of the said Court ascertain and report to the court the names of each of the parties entitled to participate in the division of the proceeds of the sale of the real estate sold under decree in said cause, and the part or portion of each. Your Commissioner reports to the court that he issued notice to the parties, plaintiffs and defendants, that he had fixed upon the 9th. day of Feby. 1891, to make the enquiry and report. Refused. That service of said notice was acknowledged by Counsel for the parties and is herewith filed.

That your commissioner finds that the following persons are entitled to share in the said proceeds of sale of said real estate as heirs and distributees of Robert Edwards decd: and as purchaser and owner

Stephens et al.

vs

Whiting et al.

Report of W.S. Holm
Spec. curr. filed by leave
of court April 1873

Stephens and et, al.

VS.

Whitty et. al.

The undersigned your special Commissioner begs to report that he has paid out the money in his hands to all the parties entitled thereto except to John A. Stephenson and Martha O'Donnan. The former by a deed of trust duly recorded conveyed his interest to secure a debt to Col. Geo. F. Hall which debt now amounts to \$58.51 and the interest of Mr. Stephenson is only \$55.00. As attorney for Col. Hall's executor I have credited on said bond which is now here to the Court shown but not filed. For some years your Commissioner has endeavored in vain to find said Martha O'Donnan but has not been successful. He has information of late that she is alive, but the information is nothing more than a hearsay many times repeated. Your Commissioner desires to be instructed when and how to deposit her interest as he wishes to be relieved of responsibility. Your Commissioner has not been able to invest said money desiring to be ready at any time to ~~be ready~~ pay said money when called for, and in the future such a state of things will continue and for these reasons he desires to deposit said money in some ~~the~~ bank to be selected by the Court. This suit should be dismissed in order to save further costs.

Respectfully submitted
W.S. Hall and

Rec'd May 6th 1891 of W.S. Hall and
Special Cour. in the suit of Stephenson
et. al. vs. Whitley and others fifty five
(55) dollars it being my share in the
fund in the hands of said Spe. Cour.

J

James Vincent

Mr. Hart's signature below the
red wax seal W. S. H.

Rec'd. March 10th 1891 of W. S. Hall and Co.
Court in Stephenson vs. Whitley et al. one hundred
and sixty five and 28/100 dollars in full of the
interest of J. W. Hart in the proceeds of said suit
less costs fees &c.

* Martha A. Hart. * Executor of Jas. W.
Hart deceased

Rec'd. of W. S. Hall and Special Comm.
one hundred and sixty-five dollars
and twenty-eight cents, it being her
share of funds arising from sale of
Robert Edwards land to James A. Whitley
March 7th 1891 Catharine Whitley
witness James A. Whitley.

Jno. & Stephens

note

29.50

1000 Jno

Credited with fifty five (55) dollars
Net share of Jno. & Stephens in in suit
of Stephens in et als vs Whitley et al
April 26th 1873 W.S. Hall and atty
G. F. Hall Esqrs.

\$29⁵⁰

Ondemand I promise to
pay Geo. F. Hall the sum of
Twenty nine dollars & fifty Cents
for value rec^d. The true receipt
of which I hereby waive my hom-
estead exemption & give
under my hand & seal this
1st day of December 1876
Witness

Geo. F. Atkinson

John F. Stephens (seal)

Notes of
pub. l. n.

Statement of Account.

Suffolk, Va., July 189

Mr A P Young Comr

To Suffolk Herald, Dr.

J. E. Becker, Proprietor.

94

Jan 5 To Pubg Notice
JA Stephenson

3 in 4 w

5.00

COMMISSIONER'S OFFICE,
ISLE OF WIGHT C. H., Dec. 23, 1893. }

TO JOHN A. STEPHENSON, THOMAS
O'Donovan and Martha J. O'Dono-
van his wife, plaintiffs, and to Henry
Whitley and Catharine his wife, James
Vinson, and R. A. Edwards, Sheriff and
administrator of Mary Stephenson, de-
ceased:

You are hereby notified that I have fixed
upon the 15th day of February next, if
fair, if not, on the next fair day thereafter
(Sunday excepted), to enquire and report
at my office whether Martha J. O'Dono-
van is dead or has not been heard from
within seven years, consecutively, and
who are entitled to have the money de-
posited in the bank under decree in said
cause, required to be taken by a decree of
the Circuit Court of the county of Isle of
Wight rendered on the 24th day of October,
1893, in a suit in chancery depending in
said court between the aforesaid parties,
plaintiffs and defendants, at which time
and place you are required to attend.

Given under my hand, as commissioner
in chancery of the said court, the day and
year first aforesaid.

N. P. YOUNG,
Commissioner in Chancery.

ja5-4t

SUFFOLK COLLECT

Stephenson et al
vs, 3 In Chy,
Whitey et al

Report of Comm.
Honey under
decree of Octo.
1891

Filed 11th July, 1894

That action of this report to be made,
was published in the Supplement
series under my hand as a Com.
member in Chy. of said Court, the
day and year first aforesaid.

A. D. Honey Com.

Comm. fee . 5.00

J. A. Volney Com. . 50

Printing action 5.00

\$ 10.50

Commissioner Office Isle of Wight
County, July 19th 1894.

To the Circuit Court of Isle of
Wight County.

Pursuant to a decree of said
Circuit Court, rendered on the
24th day of October 1893, in a suit
in Chancery therein pending
between Jas. A. Stephenson et al: pfs.,
and R. A. Edwards ad vs. of Mary
Whitely et al: defts. Your commis-
sioner reports that, from the
evidence before him and which
is herewith filed, Martha O. Dow-
dall a party to said suit, has
not been heard from for several
years consecutively, although efforts
have been made to hear from
her, nor has her child been
heard from within several years,
and that John A. Stephenson and
James Vincent are entitled to the
money on deposit as mentioned
in the said decree.

Hephemachia

Phillips

Order
Oct Term 1877

To the extent

Geo. S. S. S.

Entered 38

Stephen an wife

White & wife

On motion of the
Defendants Henry Miller & wife leave is
given them to file their answer the
same is accordingly filed —

Stephenson & Co
or { Duckey
Whitley & wife

Rough Alcorn
Oct 1879
Go to England

Geo. B. Snow.

Entered 40

41

Stephenson et als
v } on chcy
Whitley et als,

on motion of the
Plts it is ordered that W B Edwards
admr of Mary Stephenson be made
a party defendant to the original
and amended and supplemental
Bills filed in this cause and
be required to answer the same,
that proper process may issue
and be served upon him,

Stephenson
of J. Dukey
Whitley & Co.

Rough Decree
April Term 1882
To be entered,
Geo. B. Low. J.

Decreed 66

Report to Court with any matters
Specialist stated deemed pertinent
of himself or required of any
party to be so stated —

~~bequeathed to his wife for life or~~
~~widowhood; and the court doth~~
~~further decree that it sufficiently~~
~~appears from the evidence in this~~
~~cause that~~ ~~that~~ ~~is the~~
~~assigned of the interest of the said~~
~~Zilla Parkinson in the tract of~~
~~land in the Will and provisions~~
~~of this will mentioned devised~~
~~by the said Robt Edwards to his~~
~~wife for life or widowhood, and~~
~~at her death or marriage to his~~
~~surviving children; And the~~
~~court doth further~~ ^{by consent of parties} ~~adjudge order~~
~~and decree that a Commissioner~~
~~of this court take the following~~
~~accounts~~

- 1st An account of the rents and
profits from the tract of land
aforesaid received or which ought
to have been received by the said
Henry Whitley and Mattheus his
wife since the death of Polly Edwards
widow of Robt Edwards decd.
- 2^d An acc of the ~~permanent~~ ^{beneficial to said property} improve-
ments ~~on said land~~ made by
Henry Whitley and
his wife, which accs. he shall take settle

Stephenson et al
vs
Zouchey
Whitley

In the Circuit Court of the
County of Lee of Mich.

This cause came on
this day to be heard on the
bill with exhibits filed, taken for
confessed by L B Edwards agent
of Muzz Stephenson, he still failing
to appear, plead, answer or demur,
the answer of the infant defendants

by A P Sproul
his guardian ad litem, the answer
of Henry Whitley and Catherine his
wife, with general replication thereto,
and was argued by counsel, on
consideration whereof, the court
~~without more~~
~~or deciding the points raised by the pleadings, doth decide that the clause of said~~
~~will, which directs that at the~~
~~death or marriage of his wife, all~~
~~of the estate real and personal~~
~~owned by, should be sold and~~
~~equally divided between and~~
~~amongst the surviving children~~
~~of the testator, refers the survi-~~
~~vorship to the death of the testator,~~
~~and that at such death, to take~~
~~a vested interest in the property~~
~~real and personal devised and~~

Stephenson et seq.

vs.

Whitely et seq.

Decree for accto.

Apr. Term, 1882.

July 1st to 1887.

Notices ip. to 24th
of Augt. 1887.

July 3rd 1882. sp. for accto.
for deft. ip. to 24th of Augt.

been received, by the said Henry Whitely
& Nathaniel his wife since the death of
Polly Edwards, widow of Robert Edwards
decd.
2^d In account of the improvements ten-
sional to said property, made by Henry
Whitely and his wife, which accounts
he shall take with report to Court,
with any matters specially stated, deemed
pertinent by himself, or required by any
party to be so stated.

A copy.

Recd. A. S. Young

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

John A. Stephenson et al.

Plffs.

vs.

Henry Whitley et al.

Defts.

This cause came on this day to be heard on the bill with exhibits filed taken for confessed by L. B. Edwards admr. of Mary Stephenson, he still failing to appear, plead, answer or demur, the answer of the infant defendant, by N. P. Young, his guardian ad litem, the answer of Henry Whitley and Catharine his wife with general replication thereto & was argued by counsel. On consideration whereof, the Court without now construing the will of Robert Edwards or deciding the points raised by the pleadings in this cause, by consent of parties, the Court doth further adjudge, order and decree that a Commr. of this Court take the following accounts-

1st An account of the rents & profits from the tract of land aforesaid, received, or which ought to have

Stephenson W. ab.
Dr 2 In charge
Whitley at aux W. ab.

October 1887 Tenn

Rough dec

To be entered

C. M. Hill

Entered
30

Stephenson et. al.

v. {

Whitley et. al. et. al.

This cause come on this day on the papers formerly read and it being suggested to the court that Henry Whitley one of the parties to suit is dead and that the decree entered in this cause at the April term 1882 of this court never having been executed ~~it appearing to the court that the interest of said Whitley~~ ^{it is ordered} that R. A. Edwards Sheriff of Isle of Wight County ~~and~~ that said R. A. Edwards be made a party to the original bill, amended bill and supplemental bill filed in this cause and that he answer the same and that proper process issue and be served on him and that one of the commissioners of this court execute the said decree of April 1882 and make report to court at the next term.

mitted to the hands of

Stephenson & Co.
v. G. Duclay

Whitely & Co. & Co.

Copy of Decees

Dec. term 1887
Cir. ci. Doful Co.

For & to be

In the Circuit Court of the
Ninth Circuit, the 27th day of Oct. 1887

Stephenson et al. Plffs:
v. J. Duclay.

Whitley et al. Defts.

This cause came on this day on the
papers formerly read, and it being sug-
gested to the Court, that Henry Whitley
one of the parties to suit is dead, and that
the decree entered in this cause at the
April term 1882, of this Court never
having been executed, and it appearing
to the Court that the Estate of said Whitley
has been committed to the hands of
R. A. Edwards, Sheriff of Idaho District
County, it is ordered that said R. A. Ed-
wards be made a party to the original
Bills, amended, and supplemental
Bills filed in this cause and that he
answer the same and that proper process
issue and be served on him, and that one
of the Commissioners of this Court execute
the said decree of April 1882, and make
report to Court at the next term.

copy,

test:

N. P. Young, C. J.

Stephens on
vs
Whitley

April Term, 1888

De ore

To be entered

on file

Entered # 12.

Stephens

vs In chancery

Whitley

This cause come on this day to be again heard on the ~~report~~ papers formerly read and on the report of N. P. Young Commissioner and was argued by counsel on consideration whereof the court doth adjudge, order and decree ~~that said report to which no exceptions have been filed, be and the same is hereby confirmed; and the court doth further order that a Commissioner of this court take and report to court the following ^{arguments} accounts~~ to wit:

- 1st ~~whether or not~~ whether or not the land in the bill and proceedings mentioned can be divided in kind and if not whether a sale of the ~~same~~ same would be to the interest of the parties
- 2 whether there are any liens on the said land
- 3 Any ~~other~~ ^{matter} deemed proper by any parties ~~parties~~ And by consent of parties if entered of record in open court it is ordered that this cause be made a vocalin court and heard on notes of argument filed by the attorneys of the several parties.

that said cause may be heard on the report

$$\begin{array}{r}
 3 \text{ N} \\
 2 \text{ " } \\
 1 \text{ " } \\
 2 \text{ " } \\
 \hline
 8.00 \\
 8.00 \\
 \hline
 16.00
 \end{array}$$

Hepburn et al

v. In chcy.

Whitely et ux. et al

Copy Decree
April term 1888.

June 11, 1888.
 Notice of. To 19. July. '88
 A. P. Young and

For acct.

In the Circuit Court of Isabella County.
April term 1888.

Stephenson & Co. Plffs.
v. 3 In Chancery

Whitley & Co. & Co. Defs.

This cause came on this day to be again heard on the papers formerly read and on the report of A. P. Young Commissioner and was argued by counsel. On consideration thereof the Court doth adjudge, order and decree that a Commissioner of this Court take and report to Court the following inquiries and accounts, To-wit: 1st Whether or not the land in the Bill and proceedings mentioned can be divided in kind and if not whether a sale of the same would be to the interest of the parties.

2^d Whether there are any heirs on the said land.

3. Any other matter deemed proper by any parties hereto or that said Commissioner may deem proper to report. And by Consent of parties entered of record in open Court, it is ordered that this cause be made a vacation cause.

Attest,

Teste.

A. P. Young clk.

1 Stephen & al

2 vs

3 Whitley & wife et al

4 This cause come on
5 this day to be ^{again} heard on the papers
6 formerly read and the reports of N. P.
7 of any Commissioner - filed herein ^{act} ~~Sept~~ 10th
8 1888 and April 10th 1888 and was or-
9 gered by Council on consideration
10 whereby the Court doth adjudge, order
11 and decree that R. S. Thomas
12 and W. S. Hall and who are hereby appointed
13 Special Commissioners for that purpose
14 do proceed to sell ^{at public sale at Sale of Public Prop.} the tract of land
15 in the bill and proceedings mentioned
16 collated and known as the Robert Edward
17 ^{estate in Sale of Public Property} land, after first having advertised
18 the same by hand bills posted for
19 thirty days before such sale, on
20 terms as follows: ~~to be enough to pay~~
21 ~~to be~~ one third ^{paying thereat the costs of this} cash balance in one
22 and two years taking bond with good
23 personal security for deferred payments
24 and retaining title till further order
25 of this Court, but before said Thomas
26 and Hall and shall enter upon
27 their duties as such Comrs - they
28 or one of them shall enter into
29 bond before the Clerk of this Court in
30 the penalty of one thousand dollars
31 payable to the Commonwealth of Virginia
32 and conditioned for the faithful

Whitley and others
of the County of Shenandoah

with

security deemed sufficient

payable to the Commonwealth of Virginia
 only contributions for the faithful discharge
 of duty under this and all future orders
 herein. And all other questions arising
 under said reports are declined and referred
 for further consideration, and that said
 Thomas or Holland or both of them or the one
 may be made report to court

A copy
 of
 to
 A. D. Henry etc.

11	Atto. Gen. Stary	10.50	rd	W. A. Bullen	1.00
10	A. N. D. Henry	20.00		E. Q. Thomas	1.00
9	A. D. Henry	4.70		W. A. Thomas	1.00
8	A. D. Henry	1.00		A. D. Thomas	.50
7	A. D. Henry	1.00		W. A. Thomas	1.00
6	A. D. Henry	1.00		E. Q. Thomas	.50
5	A. D. Henry	1.00		W. A. Thomas	1.00
4	A. D. Henry	1.00		E. Q. Thomas	.50
3	A. D. Henry	1.00		W. A. Thomas	1.00
2	A. D. Henry	1.00		E. Q. Thomas	.50
1	A. D. Henry	1.00		W. A. Thomas	1.00

John A. Simpson et al
 Henry Whittier et al
 Decem Oct. term 1888
 for sale
 Send to Mr Holland
 Thomas & Holland

1 In the circuit court of Isle of Wight county
2 October term 1888.

3
4 John A. Stephenson et als Plffs.

5 vs.
6 Henry Whitley & wife et als Defts.

7
8 This cause came on this day to be again
9 heard on the papers formerly read and the
10 reports of W. P. Young commissioner filed herein
11 Oct 10th 1888, and April 10th 1888, and was argued
12 by counsel, on consideration whereof the court
13 doth adjudge, order and decree that R. S. Thomas
14 and W. S. Holland who are hereby appointed special
15 commissioners for that purpose do proceed to sell
16 at public auction at Isle of Wight c. r. the tract
17 of land in the bill and proceedings mentioned
18 called and known as the Robert Edwards land
19 situated in Isle of Wight county containing fifty
20 two acres adjoining the lands formerly Elsie
21 Whitley and others. After first having advertised
22 the same by hand bills posted for thirty days before
23 such sale on terms as follows. one third cash
24 paying thereout the cost of this suit, balance in
25 one and two years taking bond with good
26 personal security for deferred payments and
27 retaining title till further order of this court.
28 but before said Thomas and Holland shall enter
29 upon their duties as such com^{rs}. they or one
30 of them shall enter bond before the clerk
31 of this court in the penalty of one thousand
32 dollars with security deemed sufficient.

Stephenson et al

75 $\frac{1}{2}$

Whitely et al

April term 1889

Rough Deeds

To be entered.

cause and that said W. S. Hall and
Spc. Comm. pay to the parties there to
entitled, the balance of the unpaid
costs in this suit out of any
funds in his hands as special
Comm. in this cause whether the same
be now or may hereafter come into
his hands:

And the court doth further
^{adjudge}
order and decree that one of the
Master Commissioners of this Court
take and report the names of each
of the parties entitled to participate
in the division of the proceeds of
the sale of said real and the
part or portion of each:

By consent of parties the court
doth ^{on account of rights & profits} ~~adjudge~~ the balance due the
land to be seventy four (74) dollars
instead of \$1586 or \$133.42 as appears
from the alternate statements
made by Comm. James in his report
here in file Oct. 10th 1888 and
in all other respects said report
is fully ratified and confirmed

Ad
4

sol^d and equal divided between
and amongst his surviving children,
are, the children who survived
the said testator and not those
who survived his wife, the names
of which said children so surviving
the testator as alleged in the bill
and admitted in the answer are
Zilla, Catherine and Mary:

And upon inspection
of the alternate statements as to
rents & profits and improvements made
by Henry Whitty and Catherine his wife
on said land as appears in the report
of Comr. Gann filed herein October
10th 1888 the court is of opinion that
legal interest should be charged
on both the debit and credit sides
of the account and doth adopt
the latter of the two alternate state-
ments showing a bal. due the
land of \$133⁴² instead of \$15⁸⁶.

And the court doth also
adjudge, order and decree that said
W. S. Hall and Special Comr. pay out
of the balance now in ^{his} hands to R. E.
Byrtin ~~at~~ R. S. Thomas ~~at~~ and W. S.
Hall and ~~at~~ each the sum of \$
for their services respecting in this

See no
4

must
no 4
in bottom
here

Stephenson et. al.

vs.

Whitley et. al.

This cause come on this day to be again heard on the papers formerly read and on the report of W. S. Hall and Special Commissioners with vouchers and exhibits therewith filed, and was argued by counsel on consideration whereof the court doth adjudge order and decree that said report of W. S. Hall and Special Commr. this day filed by consent of parties to which there is no exception, be and the same is hereby ratified and confirmed, that the sale of the lands in the bill and proceedings mentioned to John A. Whitley is approved, ratified and confirmed, and the court is of opinion and doth decide and adjudge that the children of Roberts Edwards deceased entitled to take and share in the remainder in said land sold to said Jno. A. Whitley under the latter clause in the will of said Robert Edwards did. by which he directed ^{or death} that after the marriage of his widow that said real estate and some personal property be

Shepherdson et al,
2

Whitely et al,

Rough down

To be entered

May 19, 1890

C. M. H.

Entered

Stephenson et. al.

J.S.

Whitley et. al.

This cause came on this day to be again heard on the papers formerly read and was argued by counsel, on consideration whereof the court doth ~~to~~ adjudge order and decree that W.S. Hall and special Commissioner take from the papers the bonds of James A. Whitley therein filed and collect the same and upon payment of the all the purchase money by said James A. Whitley purchase with interest then said W.S. Hall and who is hereby appointed a special Commissioner for that purpose make, execute and deliver to said James A. Whitley a good and sufficient deed with special warranty conveying to James A. Whitley the lands in the bill and proceedings mentioned, that said W.S. Hall and special Commissioner retain in his hands the said collection till further ^{the} order of this court.

~~And the court doth further adjudge, order and decree that W.S. Hall and special Commissioner advertise in some newspaper published in the city of Norfolk for one month that at the next term of this court he will ask for a decree for distribution of the fund in hand and that R.S. Thomas, R.E. Baylun and W.S. Hall and attorney will ask for costs~~

Special Commissioner. Report to court. and said

Stephenson et. als.

V.S.

Whitley et als.

April term 1889

Rough decree.

To be entered

Cmt -

Oct 23, 1890

(Entire 15)

And the court doth further
adjudge, order and decree that one of the
Master Commissioners of this court take
and report the names of each of the parties
entitled to participate in the division of
the proceeds of the sale of said real ^{estate} and
the part or portion of each;

the children who survived the said testator and not those who survived his wife, the names of which said children so surviving the testator as alleged in the bill and admitted in the answer are Zilla, Catherine and Mary:

By consent of parties the court doth adjudge the balance due the land on account of rents and profits to be (\$ 74) seventy four dollars instead of \$ 15- $\frac{56}{100}$ or \$ 133- $\frac{42}{100}$ as appears from the alternate statements made by Commissioner Young in his report herein filed October 10th 1885 and in all other respects said report is hereby ratified and confirmed:

And the court doth adjudge, order and decree that said W. S. Holland special commissioner pay out of the balance now in his hands to R. E. Boykin, R. S. Thomas and W. S. Holland attos. each the sum of \$ 33 $\frac{1}{3}$ for their services respectively in this cause and that said W. S. Holland special commissioner pay to the parties thereto entitled the balance of the unpaid costs in this suit out of any funds in his hands as special commissioner in this cause whether the same be now or may hereafter come into his hands:

Stephenson et. als.

T. S.

Whitley et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of W. S. Holland, Special Commissioner with vouchers and exhibits therewith filed, and was argued by counsel, on consideration whereof the court doth adjudge order and decree that said report of W. S. Holland, Special Commissioner ^{Apr. 20. 1849.} ~~this~~ day filed by consent of parties to which there is no exception, be and the same is hereby ratified and confirmed, that the sale of the land in the bill and proceedings mentioned to ~~John~~ ^{James} A. Whitley is approved, ratified and confirmed, and the court is of opinion and doth decide and adjudge that the children of Robert Edwards deceased entitled to take and share in the remainder in said land sold to ~~John~~ ^{James} A. Whitley under the latter clause in the will of said Robert Edwards deceased by which he directed that at the marriage or death of his widow that said real estate and some personal property be sold and equally divided between and amongst his surviving children, are

Stephenson et als
vs. { In chy.
Whitley et als

Deer of Oct. term 1890

Acopy

unpaid costs in this suit out of any
funds in his hands as special commissioner
in this cause whether the same
be now or may hereafter come into
his hands.

And the Court doth further
adjudge, order and decree that
one of the Master commissioners
of this Court take and report
the names of each of the parties
entitled to participate in the division
of the proceeds of the sale of said
real estate and the part or portion
of each:-

A copy

Teste

N. F. Young Deputy
for W. P. Young clk

and equally divided between and
amongst his surviving children, are the
children who survived the said testator
and not those who survived his wife, the
names of which said children so surviving
the testator as alleged in the bill and
admitted in the answer are Gilla,
Catherine and Mary -

By consent of parties the Court
doth adjudge the balance due the land
on account of rents and profits to be
(\$74.) seventy four dollars instead of
 $\$15.\frac{86}{100}$ or $\$133.\frac{42}{100}$ as appears from the
alternate statements made by Com-
missioner Young in his Report
herin filed October 10th 1888 & in all
other respects said report is hereby
ratified and confirmed -

And the Court doth adjudge,
order and decree that said Th. J.
Holland Special Commissioner
pay out of the balance now in his
hands to R. E. Boykin, R. S. Thomas
and Th. J. Holland attys. each the
sum of \$33 $\frac{1}{3}$. for their services respectively
in this cause & that said Th. J. Holland
Special Commissioner pay to the parties
thereto entitled the balance of the

In the Circuit Court of Sale of Wright
county Oct. term 1890.

Stephenson et als.

vs.

Whitley et als.

This cause came on this
day to be again heard on the papers
formerly read and on the report of W.
S. Holland special commissioner with
vouchers & exhibits therewith filed, and
was argued by counsel, on considera-
tion whereof the Court doth adjudge
order and decree that said report
of W. S. Holland special commissioner
filed Apl. 25. 1889, by consent of parties to
which there is no exception, be and
the same is, hereby ratified & confirmed
that the sale of the lands in the bill &
proceedings mentioned to James A. Whitley
is approved, ratified & confirmed, and
the Court is of opinion & doth decide
& adjudge that the children of Robert
Edwards deceased entitled to take &
share in the remainder in said land sold
to James A. Whitley under the latter
clause in the will of said Robert Edwards
deceased by which he directed that at the
marriage or death of his widow that said
real estate & some personal property be sold

Stephenson et. al.

vs

Whitely et. al.

See over

To be entered

C. M. H.

Jan 24, 1893

Entered #78

Together with any mother's demand obtained by said owner or any party interested, the public is required to make said report shall be by an order of publication

Stephenson et. al.

75

Whitney et. al.

This court came on this day to be
heard on the papers formerly read, on the report of
disbursements of the Comr. Hall and ^{filed this day by him of court} and on the
report of A. P. Jannig filed in this court on
9th day of February 1891 to which reports there are
on ^{an} ~~an~~ petition of Meriter & Donnan filed this day by
no exceptions, and was argued by counsel: on
consideration whereof the court doth adjudge, order
and decree that said reports be and the same
are confirmed, and it appearing to the court that
the money in the hands of said Spe. Commissioner has
all been paid out to the parties thereto entitled
except the share of Martha O'Donnan whom the
said Commissioner reports as not having claimed
hers, whose address is reported to be unknown,
and the court doth further adjudge order and
decree that said Special Commissioner deposit the
sum of fifty five (\$55) dollars in the
Bank of Irish field to the credit of
Martha O'Donnan ~~or to her legally~~ and file a certifi-
cate of deposit with the papers in this cause,
and the court doth further adjudge
order and decree that one of the
Commissioners of this court enquire & report
whether Martha O. Donnan is dead or
has not been heard from in seven years
consecutively, and who one ~~has~~ is entitled to have
the money deposited in bank as above directed

of this Court organic & report whether
March 18. Donnan's dead or has not
been heard from in Green's case concerning
who are entitled to have the money
deposited in Bank as above directed.
together with any matters deemed pertinent
by said Court. In any party wishing the
matter referred to should said report
shall be by an order of publication -
of copy. See.

A. Q. Young cell.

Stephenson et al.
vs. $\frac{3}{8}$ Inch.
Whitley et al.

Copy decern of
Oct. 1893.

To Defiant & for acts.

1102. 1893. 4
Sent to Seabell
H. 1893. 4
1893. 4

In Case of Wright Circuit Court,
Oct. 24th 1891.

Stephenson et al -

vs -

Whitley et al -

This cause came on this day to be heard on the papers formerly read on the report of disbursements of Spe. Comm. Holland filed this day by leave of Court & on the report of H. P. Young filed in this cause on 9th day of February 1891, to which reports there are no exceptions, on a petition of Martha Q. Lorman filed this day by leave of Court, and was argued by Counsel; on consideration whereof the Court doth adjudge, order & decree that said reports be & the same are confirmed, & it appearing to the Court that the money in the hands of said Spe. Commissioner had all been paid out to the parties thereto entitled except the share of Martha Q. Lorman whom the said Commissioner reports as not having claimed her share, address is reported to be unknown, & the Court doth further adjudge order & decree that said Special Commissioner deposit the sum of fifty five (\$55) dollars in the Bank of Smithfield to the credit of Martha Q. Lorman & file a Certificate of Deposit with the papers in this cause, & the Court doth further adjudge, order & decree that one of the Commissioners

Stephens on Falls
as

Whitely on Falls

82 81 80 79 78 77 76 75 74 73 72 71 70 69 68 67 66 65 64 63 62 61 60 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44 43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Deane
October 1894

To be entered

In the Circuit Court of the County of Wright County, October Term 1894

Stephenson & Co

Plaintiffs

vs

Whitely & Co

Defendants

This cause came on this day to be again heard on the papers
formerly read and on the reports of Special Commissioner Hol
land and Commissioner Young under decree herein of October
24th 1893. and was argued by counsel. On consideration where
of the court doth confirm the said reports to which ~~are~~ ex
ceptions are filed and it appearing to the court from the tes
timony that ~~within~~ Martha A. Donovan ~~with~~ ^{with} her infant
child left this State about fifteen years ago and that within
she nor the said child has been heard from for seven years
consecutively and that James Vincent and John A. Stephenson
are her nearest kin and heirs at law. It is adjudged, ordered
and decreed that the clerk of this court do deliver the certificate
of deposit of the Bank of Smithfield for \$35 paid into said
Holland ~~report~~ ^{report} to Mrs. Richardson who is hereby appointed
commissioner for that

Stiphenson Dub
vs
Whitely vs Dub.

Deer
October Term 1894

Subscribed

To be
CMB

Continued #3

1 In the Circuit Court of the County of Wight October Term 1894

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Stephenson and Others

Plaintiffs

vs

Whitelys execs and others

Defendants

This cause came on this day to be again heard on the papers formerly read and on the reports of special commissioners Hol and and Commissioner Young under decree herein of October 24th 1894 and was argued by counsel. On consideration thereof the court doth confirm the said reports to which no exceptions are filed and it appearing to the court from the said report of Commissioner Young that Martha O. Warrum with her infant child left this State about fifteen years ago and that neither she nor the said child have been heard from for seven years consecutively and that James Vincent and John A. Stephenson are her nearest kin and heirs at law. It is adjudged, ordered and decreed that the clerk of this court deliver to W. S. Hollens on his filing his receipt for the same, the certificate of the clerk of the Bank of Smithfield of \$50 paid with said report which he shall collect and after paying the unpaid costs of this said case one half of the said sum to James Vincent and one half to John A. Stephenson or to their attorney and make report to court of his proceedings under this decree.

and on half to John A. Stephenson or to
their attorneys and make up to cost of
his proceedings under this decree.

Receipt

Debt to N. P. Young old
by A. F. Young Deputy

Unpaid debts, viz:

Debt to fee . . 4.48

Costs Young " 5.50

\$ 9.48

55.00
9.48
64.48

Stephenson v.als
vs. J. F. Young

Whitely's adm't v.als

Decm Oct. term 1894

A copy

In the Circuit Court of the County of Wright county
October term 1894

Stephenson & Wacker

Plaintiff

vs.

Whitely & son & Wacker

Defendants

This cause came on this day to be again heard on the papers formerly read and on the reports of special commissioners Holland and commissioner Young under decree herein of October 21st 1893 and was argued by counsel, on consideration the court doth confirm the said reports to which no exceptions are filed and it appearing to the court from the said reports of commissioner Young that Martha O. Donovan with her infant child left this state about fifteen years ago and that neither she nor the child have been heard from for seven years since which and that James Vincent and John T. Stephenson are her nearest kin and heirs at law, it is adjudged ordered and decreed that the clerk of this court deliver to Mr. S. Holland on his filing his receipt for the same, the certificate of deposit of the Bank of Mountfield of \$53, filed with said report which he shall collect and after paying the unpaid costs of this suit pay one half of the residue to James Vincent

Stephenson, ~~et al.~~ et als

vs.

Whitley, s Ad mr et als.

Dec 13th 1894

Decree

To be entered.

CMT

Entered # 4

Stephenson et als.

vs

Whitley et als.

This cause came on this day to be again
by consent of parties
heard on the papers formerly read, on the report of W.S.Holland
showing that he has paid out to N.P.Young clerk and commissioner
the sum of nine dollars and forty eight cents costs and has paid
to George R.Atkinson attorney for James Vincent and John A.Stephenson
the sum of forty five dollars and fifty-two cents making in all
\$55 as directed by a decree herein of the Oct. term 1894;

Nothing further appearing to be done in this cause it is
ordered that the same be removed from the docket.

Memo. as to the
evidence of the
title of J. W. Hark
to the Zilla Perkins
land in the
said matter

Memorandum.

For evidence as to the title to the Gilca Parkinson land - See papers in suit of Turner et al. v. Turner - decided at May term of the last circuit court 1857.

A. P. Young

(a.)

Stephenson's tal.,
m. 3 Clus.
Whittier's tal.

Robert Edwards' will
a copy.

Told with selfs. Bill

and appoint my friend Jordan Carr whole
and sole Executor of this my last will and
testament. In witness whereof I have hereunto
set my hand and seal this 4th. day of July
our thousand eight hundred and fifteen.

Signed, sealed & acknowledged Robert ^{his} Edwards. 
in the presence of

John Parkinson
Francis ^{his} Chapman
David Pousonby

At a Court held for Isle of Wight County,
March 4th. 1846, This will was
presented in court by Jordan Carr,
the Executor therein named. And the
same being proved by the oaths of John
Parkinson, Francis Chapman and David
Pousonby, the witnesses thereto was ordered
to be recorded. And on the motion of
said Executor, who made oath, and with
James Johnson his security entered
into and acknowledged their bond
in the penalty of one thousand dollars,
conditioned as the law directs, certi-
ficate is granted him for obtaining pro-
bate in due form of law.

Teste, Nathaniel Young Clk.

A copy. Teste, N. P. Young Clk.

1846
1847
1848

In the name of God, anew, I Robert Edwards,
of the county of Isle of Wight and state of
Virginia, being weak in body but of perfect
sound mind and memory, do constitute,
make and ordain this my last will
and Testament, in manner and form
following. Item - I lend unto my loving
wife Polly Edwards the whole of my land,
one bed & furniture, one cow & calf, the
whole of my hogs, six barrels of corn and
also the whole of my household furniture
which I now possess during her widowhood.
Item - I give and bequeath to my daughter
Gilla Edwards the bed & furniture which
I have lent to my wife during her
widowhood, to her and her heirs forever.
Item - It is my will and desire that the
balance of my personal estate which
I have not already lent unto my wife, to
be sold - equally divided between and
amongst my surviving children: also
in case my wife should marry or at
her death, it is my will and desire that
the whole that I have lent her, both real
and personal estate, except the bed given
to Gilla, should be sold and equally
divided between and amongst my surviving
children. Item - I do hereby nominate

Ishe of Wright County, to wit - - - - -
We Jordan Parr and David Roberts Justices of the
peace for the County aforesaid in the State of Virginia
do hereby certify that Zilla Parkerson the wife of Lewis
Parkerson parties to the Within deed bearing date on
the 2nd day of May 1836, personally appeared before us in
our County aforesaid, and being examined by us privily
and apart from her husband, and having the deed
aforesaid fully explained to her she the said Zilla Parkerson
acknowledged the same to be her act & deed, and
declared that she had willingly signed & sealed, and
delivered the same, and she wishes not to retract it.
Given under our hands & seals this 2nd day of May
1836

Jordan Parr

David Roberts

Parkerson wife
to 3rd Dec
Turner

May 2nd 1836 recd
proved by witnesses &
admitted to record

Test

P. Young

Record

Subit X

This Indenture made this 2nd day of May in the year
of Christ eighteen hundred and thirty six, between Levin
Parkerson & Zilla his wife, of the County of Shenandoah
and State of Virginia of the one part, and James M. Turner
of said County & State of the other part, witnesseth, that the
said Levin Parkerson and Zilla his wife for & in considera-
tion of the sum of thirty five dollars lawful money of
Virginia to them in hand paid by the s^d. James M. Turner
at or before the making and delivery of these presents,
the receipt whereof is hereby acknowledged by them the
said Levin Parkerson & Zilla his wife have granted
bargained, sold, aliened, conveyed & confirmed and by
these presents do grant bargain, sell, alien, convey and
confirm unto the said James M. Turner his heirs and
assigns forever, all their the said Levin Parkerson
& Zilla his wife right title, claim interest & demand
in a certain tract or parcel of land lying & being in
the County & State aforesaid: it being, the tract or parcel
of land which Robert Edwards dec^d. did possess: To
have and to hold the aforesaid right title claim interest
and demand in the aforesaid tract or parcel of land
unto the said James M. Turner his heirs & assigns forever
To the only proper use & behoof of him the s^d. James
M. Turner his heirs & assigns forever and the said Levin
Parkerson & Zilla his wife for themselves their heirs &
the aforesaid right title claim interest & demand
in the aforesaid tract of land of which the aforesaid
Robert Edwards dec^d. did possess, unto the s^d. James
M. Turner his heirs &c. Will warrant and forever
defend against themselves the said Levin Parkerson & Zilla
his wife, & their heirs ~~forever~~ In witness whereof the
said Levin Parkerson & Zilla his wife, have hereunto
set their hands, & seals the day & year first above written
Signed, Sealed and
acknowledged in
the presence of
William Turner
Joseph Parkerson
Miles Edwards &c

Levin Parkerson
mark

Zilla Parkerson
mark

Thomas Hall cord.
to Z. d. d.

William Hall
July 7th 1851
ackd. T. A. R. A.

Recorded B. 38
p. 185

Exhibit "4"

Exhibit 4?

In the Clerk's office of Seaford
County Court July 7th 1851 the
following deed was acknowledged
by Thomas Hall & admitted to
Record.

Test
W. P. Young &c

This deed made this 7th. day of July in the
year 1831, between Thomas Hall a Commissioner
appointed by the Circuit Court of Del. of High
in a decree pronounced in the case of Turner
vs. Turner &c. of the one part,
and William Hall of the other part.
Witnesseth, that the said Thomas Hall the
Commissioner aforesaid in consideration
of the sum of nine hundred ^{dollars}, the said Thomas Hall
in pursuance of the said decree doth grant unto
the said William Hall the following tracts of land, of
which James M. Turner did seize and possessed, to-wit:
The home tract containing 125 acres, another tract of
59 acres, and another tract of 25 acres, and the said
Thomas Hall doth as aforesaid covenants with the said
William Hall to warrant specially the said lands
conveyed. Witness the following signatures and seals.

W. J. Hall

Seal
and

25
59
25
—
209

In the clerk's office of Isle of Wight County Court. Decr. 20th.
 1860. this Deed was recd. with the foregoing certificate,
 annexed of E. P. Womble a Justice of the Peace for the County
 aforesaid - of its acknowledgement before him of Thos. Hall
 and Rose Ann Hall - and thereupon admitted to record.
 Dated - N. P. Young esq

Thomas Hall Esq. of
 Norfolk etc. etc.

Decd.
 E. P. Womble
 Justice of the Peace

Decr 20th 1860 Recd. Certificate
 & admitted to record.

Recorded in book 40
 Page 349.

Not paid for

Isle of Wight County to wit
 I, E. P. Womble a Justice of the Peace for the
 County of Isle of Wight in the State of Virginia
 do certify that Thomas Hall and Rose Ann Hall
 whose names are signed to the foregoing writing
 bearing date on 13th day of Decr. 1860. has
 acknowledged the same before me in my
 County aforesaid. Given under my hand
 this 13th day of December 1860.
 E. P. Womble J. P.

This Deed, made this 13th day of December
in the year 1860, between Thomas Hall Executor
of the last will and testament of William Hall
of Thomas decd., and Rose Ann Hall the widow of
said William Hall decd. of the one part, and
George H. Jordan of the other part.
Witnesseth, that the said Thomas Hall acting
in the capacity of Executor of aforesaid, and
the said Rose Ann Hall widow as aforesaid, do,
in consideration of the sum of fifteen hundred
& seventy five dollars

grant with special warranty, unto the
said George H. Jordan all that tract
or parcel of land, lying in the County of Isle of
Wight, whereof the said William Hall died seized
Containing by estimation Two hundred and
thirty six acres, more or less, being composed of
tracts purchased of several persons by said Testa-
tor; adjoining the lands of E. P. Womble, Charles
Edwards, Miles Edwards, Sarah J. Edwards & others
and consisting of all the lands the said Testator
owned in the said County.

Witness the following signatures & seals.

Witness
Wm S. Chapman
E. F. H. H. H.

Thos Hall
Rose Ann Hall
Seal
Seal

to the grantor by said J. Hall Executor of said
but for which no deed was made to said George H.
Jordan, the same being deferred until the death of
said Polly Edwards widow or assign of said
Robert Edwards.

Witness the following signatures & seals.

Geo. H. Jordan *Seal*

Mattie S. Jordan *Seal*

In the Clerk's office of Isle of Wight County
Court. Dec'r. 15th 1869, This deed was
received & having the requisite U.S. revenue
stamps of two dollars & fifty Cents affixed here-
to & cancelled, was acknowledged by Geo.
H. Jordan and Mattie S. Jordan his wife
whose names are signed to the annexed
deed. the said M. S. Jordan being exam-
ined by me privily & apart from her said
husband & having the deed aforesaid
fully explained to her, she the said M. S.
Jordan acknowledged the same to be her
act & deed, and declared that she had willingly
executed the same & does not wish to
retract it. thereupon it is admitted to
Record —

Teste

C. H. Hart Clk.

Jordan wife
to deed
Geo. H. Hart,

Decr. 15th 1869. Recd.
ackd. & admitted to record.

Recorded -

35-4-

Fee & Tax pd. \$2.35
to M. P. Young

This Deed, made this 15th day of December
in the year, 1869, between George H. Jordan and
Martha Segar his wife of the one part, and
Joseph W. Hart of the other part, all of Isle of
Wight County Virginia. Witnesseth, that the said
George H. Jordan and Martha S. his wife, in
consideration of the sum of Two Thousand five
hundred dollars, paid or secured to be paid
by the said Jos. W. Hart, do grant with general
warranty unto the said Joseph W. Hart, the
following property, to wit: all that certain tract
or parcel of land which the said George H.
Jordan purchased from Thomas Hall Executor
of William Hall decd: by deed of record in
the clerk's office of Isle of Wight County, lying
being in the said County, containing two hun-
dred and thirty six acres, more or less, adjacent
to the lands of Miles Edwards decd: E. P. Combs,
Medison Edwards & then; Also the interest of
William Hall decd: in the lands of Robert
Edwards decd: now held by his widow Polly Edwards
for life, adjacent to the first mentioned tract, which
interest being the interest of Fella Parkinson,
a daughter of said Robert Edwards, under his will
and which the said Fella Parkinson sold ~~made~~
~~conveyed~~ to said William Hall and was sold
by said Thomas Hall, his Executor, to said Jordan.
It being intended hereby to convey such interest
only in said Robert Edwards land as was sold

Direct your letter to ³⁷⁷
No 377

Elven Street, Brooklyn, C. D.

Thomas Donovan

27

Cousin James I would like to know
something of my Brother John

My Mother would also like to hear
from ye all.

Emmy Sam writing this

Thomas D. Donovan

My husband would like
to have Jerry here. we have
no son of our own. &
we would like to have
here. My Dear Cousin
I am getting along very
good.

I Cant say
much more but my
heart is with you.

My Husband & child
join me in love
to ye all. Martha R. Donovan

November the 30th / 85

My Dear Cousin
I am very much surprised
that you have not answered
my letter. perhaps you may
have not received it. but
I sent you a letter before
I moved. I have moved
in a more fashionable part
of the City. I would like
to know how my Cousins
are getting along also
I would like to know how
Uncle Henry & Aunt Katy
is getting along. I have
moved since I wrote to you
before. I would
like to have with me, for
I think my husband can
help him to make a better
living — in farming



NOTHING BUT THE ADDRESS CAN BE PLACED ON THIS SIDE.

A P Young Esq
Isle of Wight C H
Bo

COURTS;

Isle of Wight, Nansemond, Surry,
and Southampton Counties,
U. S. Dist. Court, Norfolk.

C. B. HAYDEN,

Attorney at Law,

Smithfield, Isle of Wight County, Va.

July 24th 1882

Please Summon to appear
before you as Commissioner on the
24th Aug L B Edwards - P B Womble
R H Pulley W A Womble Oliver Stephens
& Lem Roberts as witnesses for Henry
Whitley wife

Respectfully
C B Hayden

Stephenson et al.

or. ³ Com^d
3 notes

Whitley wife et al.

to 24th - Aug^r.

1882.

Executed by delivering
to the within named

Joseph W. Hart - Nunc

Whitley Catharine Whitley

his wife each a true

copy of the within

Deedman Sept. 17

1882.

L. R. Edwards

— Shff

4 copies

Commissioner's Office.

Isle of Wight Co. Va., July 13th 1887.

To John T. Stevenson and Joseph A. Hart
and Thomas Adm. as Executors

Plaintiffs,

and to Henry Whitty and Catharine his wife James
Vinson by W. P. Young his atty. in law, and L. B. Edwards Esq.
Adm. of Mary Stevenson

Defendants:

You are hereby notified that I have fixed upon the 24th day of August 1887.

to take and settle, at my office aforesaid, the following accounts, to-wit: 1st. An account
of the rents and profits from the tract of land in
the foregoing mention, known as the Co. Edwards
land, received by said Henry Whitty wife, received
or which ought to have been received, by the said
Henry Whitty Catharine his wife since the death
of ~~Catharine~~ Colley Edwards widow of Robert Edwards decd.
2nd. An account of the improvements, beneficial
to said property, made by Henry Whitty and his
wife - with any matters specially stated deemed
pertinent by himself or required by any party
to be so stated.

Required to be taken by a decree of the Circuit Court of Isle of Wight County, rendered on
the 22nd day of April 1885, 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 re-
quired to attend.

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

W. P. Young Commissioner.

Lupinus 1.
m. 3/4 Count. Notum
Whitely et al.

To 10. Apr 1888.

Macbeth Remains of this notice
for our account.

Commissioner's Office,

Isle of Wight Courthouse, April 7th. 1888.

To John A. Stephens, Joseph W. Hart, and
Thomas O'Donnell & Martha his wife

Plaintiffs,

And to W. A. Edwards shff: & admor: of Henry
Whitley decd; Catharine Whitley widow
of said Henry Whitley decd: James Vernon &
W. A. Edwards shff: & admor: of Mary Stephens decd: Defendants:

You are Hereby Notified that I have fixed upon the 10 - day of April
next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at
my office, aforesaid, the following accounts: ^{or} An account of the

rents and profits from the tract of land in the
proceedings mentioned, known as the Robert
Edwards land, occupied by said Henry Whitley
& wife Catharine, or which ought to have
been received by the said Henry Whitley &
Catharine his wife since the death of Polly Edwards
widow of Mr. Edwards decd. - 2nd An account of
the improvements beneficial to said property,
made by Henry Whitley and his wife, with any
matter specially stated, deemed pertinent
by himself, or required by any party to be so stated.

Required to be taken by decree of Isle of Wight Circuit Court, rendered at the ~~april~~ ^{april}
~~term 1882 & Octo.~~ 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.

A. P. Young Commissioner.

Stephenson et al,
vs. $\frac{3}{3}$ In Chap,
Whitney et al et al

Comm. P. Notes.

Date 19th July 1888

Executed by
delivering a
Copy of the within
Notice to R. C. Boykin
W. S. Holland & Co
Messrs. Messrs. Messrs.
27th 1888
R. C. Alderman
Shy.

Commissioner's Office,

Isle of Wight Courthouse, June 11th 1888.

To John A. Stephenson, Thomas O. Donovan
and Catharine his wife, who was Stephenson,
and Joseph W. Ware

Plaintiffs,

And to R. A. Edwards and wife, and Mary
Stephenson & Mary Whitley and; Catharine
Whitley, and James Vincent by N. P.
Young his agent, addition to

Defendants:

You are Hereby Notified that I have fixed upon the 19th 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: 1st Whether or not

the land in the bill & proceedings mentioned
can be divided in kind, and if not.
whether a sale of the same would be to
the interest of the parties.

2nd Whether there are any claims on the
said land. 3rd Any other matters
arising & proper by any parties hereto,
or that said Commissioner may deem
proper to report.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 24th day
of April, 1888, 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.

weedy,

N. P. Young

Commissioner

Stephenson et als

vs. $\frac{1}{3}$ In chy.

Whitley et ux. et als

Com^{re} Bond

Exceutor 3^d Dec. 1888

and admitted to record

Test M. P. Young ec.

A copy. filed Dec. 8th 1888

Know All Men by These Presents:

THAT WE,

R. S. Thomas & W. S. Holland

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of *One 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 *Nov.*, in the year one thousand eight hundred and eighty*eight* and in the *113th* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound

R. S. Thomas & W. S. Holland who by decree of of the circuit court of Isle of Wight County rendered at the Oct. term 1888, in the suit of Stephenson et al vs. Henry Whitley & wife et al. are appointed com^{rs} to sell the land in the bill & proceedings mentioned, called and known as the Robt Edwards land in Isle of Wight County

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, ^{or} 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. *coupons detached from bonds of the state of Virginia*

W. S. Holland
R. S. Thomas



circuit court clerk's office
IN ISLE OF WIGHT COUNTY COURT,

November 5th 1888:

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

CLERK.

A. P. Young
A copy State A. P. Young att.

Please send fee \$2.00
to Clayton

Stephenson et al
v
Whaley et al

assented. This 13) Day
of Oct 1890 By sworn
attorne Copy upon
Robert A Stephenson
Wife By explaining
the purport of the same
W E Clifton
Sheriff

To James^{mes} Vincent-

ad Point

Joseph A. Stephenson

St. New

~~Benjamin Edwards~~ adm of Joseph W. Hart-

Thomas D. Duncan & Martha W. his wife

~~Ben Edwards~~

adm of Henry Whitley

Catherine Whitley

Take notice that we shall
apply to the Judge of the Circuit Court of
Wash-Cumey at its October Term (20) 1890
to allow us a fee for services rendered ^{it at} ~~you~~
~~in the suit~~ in ^{it at} ~~chance~~ of Stephenson v.
Whitley & al

W. S. Holland, R. E. Boykin
& R. S. Thomas attys.

I acknowledge legal services of the within
 notice Octo 7th 1890. Ro. A. Edwards Esq. &
 advised Henry C. C. by
 executed in 4110 Ma a Hank & Catherine
 Whitley by delivering a copy of this notice
 to each Octo. 10th 1890
 Ro A Edwards
 Esq.

Stephensmen
~~at~~

Whitley esq

~~Stephensmen at~~

Notice

Octo, Oct

To James Vincent- ed Ford-
John A. Stephenson Newport, News
~~man for~~ ~~the~~ ~~part~~
R. A. Edwards adm of Joseph W. Hart-
Thomas D. Dorman & Martha W. Hays wife
R. A. Edwards adm of Henry Whitley
Catherine Whitley

Take notice that we
shall apply to the Judge of the Circuit-Court
of Jackson County at its Term Com-
mencing October 20th. 1890 to allow us
a fee for services rendered ^{at and} in the
suit in chancery of Stephenson v. Whit-
ley et al

W. S. Holland
R. E. Baykin &
R. S. Dumas
attorneys

Stephenson & Co.,
v. 3 Cond. Notice
Whitely & Co.,

We acknowledge receipt of the
notice as received for debt: &
defendants,

Commissioner's Office,

Isle of Wight Courthouse, Jersey. 15th 1891,

To John A. Stephenson, Thomas O'Donovan
and Martha O'Donovan & M. A. Hart
Exrs: of Jos. W. Hart decd,

Plaintiffs,

And to R. A. Edwards, pers. & ex. of Henry
Whitley decd; and James Vincent and
infant

Defendants:

You are Hereby Notified that I have fixed upon the 9th day of Feb^y,
next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at
my office, aforesaid, the following ~~accounts~~: *enquiry*, To wit:

the names of each of the parties entitled
to participate in the division of
the proceeds of the sale of the land
sold under decree in this case,
and the part or portion of each.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 27th day
of Octo., 1890, 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.

A. P. Young

Commissioner.