1894-009 Chancery Causes: 0 L. Batten v ux vs A. B Stott v ux v al
Isle of Wight County

othee surnames: Pope, Jordan
Fletcher, Edwards, Womble,
Lane, Batt, N, Delk, Cofer

Number and of this can not be done that the whole tract may be sold and the parties paid such sums as their respective interests entitle them to, and that they may have all such and further relief as the nature of the case may entitle or give and to Equity shall seem meet. And they will ever pray &c. Notice is hereby given to all parties that the Court will be asked to allow a reasonable attorneys fee for services as attorney in this suit.

R. S. Thomas p.q

Baker Q.L. & Wife
v
Rice
Winkle T. P. et al

Bill filed Oct. 1890.
Bill dismd. accord.
agst. Def. Davis.
Apl. 1891.
Bill taken for confd.
& cause set for hearing

April Term 1890
Dec. for plaintiff

Oct. Term 1890
Rest. conf. &c to sell &c.

April 1893
Rest. conf. & order of sale

May 16/1893
Def. Mortg. Ext. & dismissed

April Term 1894
Final

between them.

In tender consideration whereof and for as much as your Orators are without remedy save in a Court of Chancery where matters of this sort are alone and properly cognizable & the end that justice may be done they pray that A. B. Scott and Ida M. his wife, E. P. Wemble, R. E. Wemble, T. E. Wemble V. W. Wemble John P. Wemble Martha C. Wemble, Eva P. Wemble and Jessie C. Wemble J. R. Irwin, Mattie C. Irwin, Annie C. Irwin and Levin W. Lane Jr and Lizzie L. his wife may be made parties Defendant to this bill and be required to answer the same on oath as fully and as effectually as if they were here and now specially interrogated, that partition may be made of the above land if it can be conveniently made; and if it can not be that the shares of any and or more of the parties of they so elect may have their shares laid off together; if this can not be done that the entire subject may be allotted to any party who will accept it and pay thereof to the other parties such sums of money as their interests therein may

and G. P. Wimbly

3 Martha Susan Pope married George H. Jordan on the day of and died on the 22 day of June 1875 and left surviving her husband, who died on the 26 day of February 1889 and left surviving them

John R. Jordan, Mollie C. Jordan Annie G. Jordan and Lizzie L. Lane the wife of Levin W. Lane Jr.

4 The aforesaid Sallie Fletcher Pope died seized and possessed of a certain piece and parcel of real Estate lying and being in the County of Johnston containing about 319 acres more or less bounded on the North by the old Pennivica Mill Pond, on the West by the lands of S.S. Beale and others, on the South by the lands of A. J. Turner and others, and on the East by the lands of John R. Bradshaw A. J. Turner and others which has never been sold, or devised, or partitioned between the parties entitled

5 Your orators allege that the parties to this suit plaintiffs and defendants are the parties entitled thereto and that the aforesaid land is in capable of partition

To The Hon C. W. Hill
Judge of the Circuit Court of Dade
Wright County in Chancery sitting:

Humbly complaining sheweth unto the
Court, Your orators O. L. Batten and
Sallie F. his wife
1 That Robert R. Pope married Sallie
Fletcher on the day of
and had by her three children, viz,
Nancy J, Georgianna, and Martha
Susan Pope, all of whom survived
their mother. Fletcher his wife many years before.
Robert R. Pope died in May 1869 & Sallie
2 That Nancy J. Pope married L. B.
Edwards on the day of
and died on the day of April 1885
L. B. Edwards died on the day of February
1884
They left surviving them one child Sallie
F. Edwards who on the day of
married O. L. Batten who are now Your
orators in this Suit.
Georgianna Pope married E. P. Wemble
on the day of and left
surviving her her husband E. P. Wemble
Ida M. Wemble, now the wife of A. B. Scott
R. E. Wemble. T. E. Wemble, V. W. Wemble
John P Wemble Martha C. Wemble, Eva P. Wemble

Form No. 300.

Batten & S. et ux.

vs. { SUBPŒNA IN CHANCERY.

Stott et ux. et als.

R. S. Thomas *p.q.*

To 2nd March *Rules,*

1890, Circuit *Court.*

Dof Wyld Co

Executed by delivering a true copy
of the within Subpœna to
R. S. Thomas p.q.
Executed by delivering a true copy
of the within Subpœna to
Edwin G. Stott
Executed by delivering a true copy of the
within Subpœna to
Mary Stott
March 1st 1890.

Not finding the within named
C. Forman at his usual place of abode
I delivered a copy of the within Subpœna
to Key, a person over the
age of fourteen years
residing with the
March 1st 1890.

Not finding the within named
C. Edwards Stott
within Warrant
Executed by delivering a true copy
of the within Subpœna to
Minnie Edwards

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon A. B. Stott and Ida M. his wife, formerly Womble; R. E. Womble, T. E. Womble, T. W. Womble, John P. Womble, Eva P. Womble, Georgia P. Womble, Martha C. Womble, Edwin P. Womble, James L. Jordan, Mollie C. Jordan, Annie G. Jordan, Levin W. Sawyer Jr. and Lizzie L. Sawyer his wife, formerly Jordan

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said court on the third Monday in March, 1890, to answer a bill in Chancery exhibited against them in our said court by O. L. Battle and Sallie F. his wife, formerly Edwards

And have then there this writ. Witness, N. O. Young, Clerk of our said court, at the court-house, the 14th day of March 1890, and in the 114th year of the Commonwealth.

N. O. Young clk

Executed by Serving
a true copy of the
within on L. W. Lone
and Lizzie his wife
March 15 1890

J. F. Burke D.S.
for Geo E. Richardson
Sheriff
of Jamescity Co
and city of Williamsburg

Form No. 300.

Battle & O. S. et ux.

vs. { SUBPŒNA IN CHANCERY.

Stott et ux. et als.

R. S. Glover p.q.

To 2nd Monday Rules,

1890. Circuit Court.
Isle of Wight Co.

G. E. Richardson
D.S.

We acknowledge service
of the above. R. W. Shaw, Jr
for self
March 15/90

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

To the Sheriff of the County of James City, Greeting:

WE COMMAND YOU, That you summon A. B. Scott and Ida M. his wife, formerly Womble; R. E. Womble, T. E. Womble, V. W. Womble, John P. Womble, Eora P. Womble, Georgie P. Womble, James R. Jordan, Mollie C. Jordan, Annie G. Jordan, Levin W. Sale Jr. and Lizzie L. Sale his wife, formerly Jordan, and E. P. Womble and Martha C. Womble

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said court on the third Monday in March, 1890, to answer a bill in Chancery exhibited against them in our said court by O. L. Battin and Sallie F. his wife, formerly Edwards

And have then there this writ. Witness, N. P. Young, Clerk of our said court, at the court-house, the 14th day of March 1890, and in the 114th year of the Commonwealth.

N. P. Young clk.

386 28
355.84
2644

355.84

Bond
Sub-form
Amount 92
to Oct-20th 93 2644

386.28

3 Martha Segar Pope (who married Geo. H. Jordan and they had -

James R. Jordan

Nellie G. Jordan

Annie L. Jordan

Lizzie L. Jordan (who married Jessie W. Lamb)

3/376
4/125
30
2
60.

4/232 40
58 10
232 40

Nancy J. Pope (Fletcher
married L.B. Edwards
and they left-

(1) Sallie F. Edwards who
married O.L. Barton

(2) Georganna Pope, who
married
E.P. Womble & they
left-

1 Ida M. Womble (a B. Stroud)
2 R. E. Womble "
3 J. E. Womble "
4 V. W. Womble " (Edgar Dell
5 Jno P. Womble "
6 Mattie G. Womble "
7 Evra P. Womble " "
8 G. P. Womble "

Baltimore & Ohio

vs

Hall & Worthington & Others

Bond & Atkinson's Report
under decree of third June 1890

Filed Dec. 6th. 1890.

Commissioners Office
Smithfield September 16th 1890

To the Honorable Court of Isle of Wight County.

Pursuant to the decree of this court rendered at the April Term 1890 in a suit in chancery pending therein between O L Bolton and Lee Ella his wife plaintiffs, and W E Pruett and Ida V his wife and others, defendants, the undersigned one of the commissioners in chancery of the said court to whom was referred by the said decree the following enquiries, to wit, whether or not the tract of land in the bill mentioned is can be conveniently partitioned between the parties entitled thereto; if this can not be done, whether the entire subject can be allotted to any one party who will accept the same and pay therefor to the other parties such sum or sums of money as their interests therein entitles them to. reports to court that on the 1st day of August 1890 he issued notices against the said parties requiring them to attend the making of the said enquiries at his office aforesaid on the 15th day of September thereafter which notices were returned duly executed or acknowledged by the parties: that some of the parties appeared in person or by attorney and from evidence produced before him he finds that the said land consists of about 210 acres, of which about 100 acres is upland and the remainder is wood land; that the plaintiff Lee Ella Bolton owns one third, R E Womble, J E Womble, W W Womble, John F Womble Eva C Womble, Margie P Womble Mattie L Womble and Ida V Pruett one third, subject to the curtesy of E F Womble, or one twenty fourth each, the share of Ida V Pruett also being subject to the curtesy of her husband the said W E Pruett, and the said James R Johnson Mollie L Jordan Annie G Jordan and Lizzie L Lane is one third of the whole as one twelfth each, the share of the said Lizzie L Lane being subject to the curtesy of the said Lewis W Lane Jr; that the said land is not capable of being allotted in kind, the shares of all the parties except Bolton being too small, and he has not been able to allot more than one third in value to any one of the parties except the whole and pay to the others such sum or sums of money as their interests therein entitles them to. The aggregate value of the said land is $ 1099

Ballew + Wife

Scott + Wife

Report of
R. S. Thompson
Sec Comm

We the undersigned have each, and severally received of R.S. Thomas Special Commissioner in Ballew & Wife V. Stott and Wife the sum set opposite to each our names respectively. Witness our hands this 28th Day of October a.d. 1893

Taxes paid, see tax receipts-	10	20
N.P. Young pd N.P. Young	5	68
R.S. Thomas fee deed & purchase	5	00
A.S. Barnett, Notary fee		50
R.S. Thomas fee in suit-	50	00
Sallie F. Ballew fee R.S. Thomas atty	232	40
Ida M. Stott fee R.S. Thomas, atty	29	05
R.E. Wemble fee R.S. Thomas "	29	05
J.E. Wemble " R.S. Thomas "	29	05
V.W. Dell " R.S. Thomas "	29	05
Jno P. Wemble " R.S. Thomas "	29	05
Mattie B. Wemble " R.S. Thomas "	29	05
G.P. Wemble " R.S. Thomas "	29	05
Eva P. Wemble " R.S. Thomas "	29	05
James R. Jordan " R.S. Thomas "	58	10
Mollie B. Cofer " R.S. Thomas "	58	10
Annie G. Jordan " R.S. Thomas "	58	10
Lizzie L. Lane " R.S. Thomas "	58	10

1	Bond of E. P. Wamble for $355.84 collected on May 4th 1893, and interest thereon to that date $16.21 Deposited in the Bank of Smithfield making in all	376 05			
	Interest on the same as allowed by Bank to October 28th 1893	6 26		382	31
2	Purchase bond of E. P. Wamble for	355	84		
	Interest on same from August 1st 1892 to October 20th 1893	26 44		386	28
				$768.	59
	By taxes paid on land for 1891	10	20		
	" Unpaid costs to N. P. Young	5	68		
	" Paid costs of Deed to purchaser	5	00		
	" Fee for Notarial certificate		50		
	" Fee for Sheriff - as per decree of Court -	50	00	71	38
				697.	21
1/3	Due Sallie F. Ballou wife of O. L. Ballou	232	40/3		
1/24	" Ida M. Stott wife of A. B. Stott	29	05		
1/24	" R. E. Wamble	29	05		
1/24	" T. E. Wamble	29	05		
1/24	" V. W. Dell wife of S. E. Dell	29	05		
"	" Jno P. Wamble	29	05		
"	" Mattie C. Wamble	29	05		
"	" G. P. Wamble	29	05		
"	" Etta P. Wamble	29	05		
1/12	" James R. Jordan	58	10		
"	" Mollie C. Cofer wife of John Cofer	58	10		
"	" Annie G. Jordan	58	10		
"	" Lizzie L. Lane wife of L. W. Lane Jr	58	10	697	20.

Taxed

Clerks Fees in

the Common Pleas

Sept-y

Ballentine et-al

v

Mitchell & Steele

R. S. THOMAS,

ATTORNEY AT LAW.

PRACTISES IN THE COURTS OF
ISLE OF WIGHT, SURRY,
SOUTHAMPTON
AND
NANSEMOND COUNTIES.

SMITHFIELD, VA.

#

Dr. on R R Papers and for 21 10.20
Clerks fees in the case
of Jordan Ballentine vs
Mitchell & Peele

July	89	100
Sept	88	65
Oct	89	5.99
Apr	90	3.70
		11.34
By cash for 3 pd by J. R. Jordan		3.78
		7.56
By cash of J.O Brand		3.78
Bal due by Number		$ 3.78

7 Subpoenas for same
in hands of J.O Brand

Brought forward $768.59

out of which he paid taxes and
costs, amounting to 71.38
and Distributed the balance $697.21
as follows, viz

1/3 to Sallie F. Battle who was the only child of
Nancy J. Edwards (formerly N. J. Pope)

1/3 to the Estate heirs of Georgianna Pope
who married E. P. Womble &

1/3 to the four heirs of Martha Susan Pope
who married George H. Jordan as stated
in the Complainants bill, & in report of
Commissioner Atkinson filed herein
October 6th A.D. 1890, as will be further
seen by Statement "A" hereunto
filed, and hereto annexed as a part
of this report with the receipts of the parties
for the amounts to which they were each
and severally respectively entitled.

Respectfully submitted
R. S. Thomas
S/C Comr

November 1st A.D. 1893

Baltin & Wife
v
Stott and Wife.

The undersigned who was directed by the decretal orders herein of the April and May Terms 1893 to collect of E. P. Wimble, the purchaser of the tract of land sold herein, to make him a deed for the same and to distribute among the parties entitled the sum to which they were each, and respectively entitled, begs leave to report- That he did on the 4th Day of May 1893 collect of the said E. P. Wimble his first purchase bond of 355.84
and interest from August 1st 92 to the date 16.21
making $376.05
and deposited it - on the last named day and date in the Bank of Smithfield and on the 25th of October 1893 he collected of the said bank the said sum of $355.84, and the interest allowed by said bank 6.26 / 382.31 / 382.31
making and that he on the same date collected of the said E. P. Wimble his second bond of 355.84
And interest to October 20th 93 26.44 38628
making in all 768.59

as aforesaid shall before he collect the said bond, enter into bond before the Clerk of this court in the penalty of $100.00 with surety to be approved by the said Clerk, conditioned according to law for the faithful performance of his duty as such Receiver,

A copy.

Teste, N. B. Young Clk.

Battle etux
vs.
Z. Br. Co. Ltd.
Scott et ux et al.

Copy decree of
Apl. term 189 3.

In the circuit court of Isle of Wight county, April term 1893.

A. L. Bolling et ux. . . . Pltfs.

vs. In Chy.

A. B. Stott chy. et als., . Defts.

This cause came on this day to be again heard on the papers formerly read, and on the report of R. S. Thomas special commissioner of sale, to which report no exceptions are filed, and was argued by counsel; on consideration whereof, the court doth confirm the said report and doth adjudge, order and decree that the said R. S. Thomas who is hereby appointed a special commissioner for the special purpose, doth withdraw the bond of the purchaser, E. P. Womble, filed with the papers in this cause, leaving with the clerk of this court his receipt therefor, and collect the same at maturity, or before should payment thereof be made before maturity, and on payment of the same to make to the purchaser a good and sufficient deed in fee simple for the tract of land in the bill and proceedings mentioned. But the said R. S. Thomas special commissioner

Pope R Rs heirs

10 20

Sec J C Branch

J. K. Jordan.

Pea Wimbledon

10 20
2 47
43
67
399
1176

Mr. R. R. Popes Heirs Hardy Magisterial District,

1891. To J. O. Branch, Treasurer Isle of Wight County, Va., Dr.

LAND.	
NO. ACRES.	VALUE.

To State Capitation Tax	1 00	
To State Tax on 314 acres Land, value $1099, at 30c. on $100	3 30	
To State Tax on Personal Property, value $, at 30c. on $100		
To State School Tax on Real and Personal Property, value $1099, at 10c. on $100	1 10	
Total amount of State Taxes		4 40
To County Capitation Tax	50	
To County Levy on 314 acres Land, value $1099, at 33⅓c. on $100	3 66	
To County Levy on Personal Property, value $, at 33⅓c. on $100		
To County School Tax on Real and Personal Property, value $1099, at 10c. on $100	1 10	
To District " " " " " " value $, at 5c. on $100	55	
Total amount of County Taxes		5 31
Total amount of State and County Taxes		9 71
DECEMBER 1.—5 per cent. added		49
TOTAL AMOUNT		10 20

RECEIVED PAYMENT. J. O. Branch, TREASURER.

, DEPUTY TR.

We the undersigned have each and severally received the amounts respectively due us as above. Witness our hands this 1st day of August A.D. 1892

R. S. Thomas	Paid	16.50
N. P. Young	Sur clerks fees	10.15
R. A. Edwards Sheriff	Paid Jno A Edwards Sff	9.50
R. A. Edwards Cir	" Jno. A. Edwards Cir	5.00
Sheriff of James City	Paid R. S. Thomas	2.00
G. R. Atkinson Com	Paid Geo R Atkinson	10.50
Norfolk Land mark	Paid R. S. Thomas	1.54
R. S. Thomas Sheriff	paid "	25.00
		80.24

with interest from date with A. B. Stokes as his surety. The said bonds and the notice of sale are attached to this report and are now referred to.

The cost of $80.24

was disposed of as follows

Paid Attorneys fee + Writ tax	$16.50	
" Clerks fees	10.15	
" Sheriff of Isle of Wight	9.50	
" " " James City	2.00	
" Com'r Atkinson	10.50	
" R. A. Edwards Circ	5.00	
" Printer	1.59	
" Comm on sale	25.00	$80.24
Bonds		719.76
		$800.00

Respectfully submitted

R. S. Thomas

Spl Comm

Aug 1st 1892.

Ballew + Wife

v

Slott + Wife

The undersigned has the
honor to report- that he did undertake
by virtue of the decretal order herein
of- the October Term of this Court- 1890
offer for sale at- public auction
at- John J Wright Court-House
on the 5th Day of July 1892 the certain
piece and parcel of land in the County of
John J Wright- of which Sallie F Culpeper
Pope died seized and possessed consist-
ing of some 319 acres except- the space
usually used as a burial ground after
he had given the bond and made the
advertisements of sale as per the said decree
directed, when not- selling as what- was
deemed a fair offer the sale was continued
to the succeeding- term of the County
Court- at- which sale it- was bid off
by and Knocked down to E. P. Womble
the highest- bidder who paid in cash the sum of Eighty-
dollars and twenty five cents- and
executed his his bonds at six and
twelve months respectively each for
($ 359.84) Three Hundred and fifty
nine dollars and Eighty four cents-

Ballen & wife
vs. } In Chy
Statt & wife et. als.

decree of Oct term 1890.

A copy And

Report of Sale

Filed Octo. 22. 1892

Recd May 4th 1893 of R. P. Bunn Esq
Asst. Sale Bond $2. P. Columbia mentions
in this report

R.S. Hunn Fee Clerk

East by the lands of John A. Boodohan.
A. J. Turner and others, for so much
cash as will pay the cost and expenses
of suit and sale and the balance on a
credit of six and twelve months, taking
from the purchaser, bond with good
security with the waiver of the homestead
exemption, with interest from date, title
to be retained till the further order of
the court. But the said R. S. Thomas
spl. commissioner as aforesaid shall
not make sale of the said tract of land
until he shall give before the clerk of this
court a good and sufficient bond in the
penalty of $2000. with good security
conditioned for the faithful performance
of his duties under this decree, and until
he shall have advertized the sale of the
said tract of land by printed hand bills
posted at the said Isle of Wight court house
on a court day thirty days prior
to the day of Sale, and at other
public places in the county of Isle
of Wight, and made report of his
proceedings under this decree to a
future term of this court.

A Copy Teste

S. P. Young clk
by S. T. Young D.C.

atts. fee Stat 10.00
Clks. " . 00.15
Sheff. Do fee - " 9.00
Do. Jno. City 2.00
Comr. Allen 10.00
Costs to Oct. 90 = $ 48.65

Sub clerks fee 6.37 + 3.78 = 10.15

In the Circuit Court of Isle of Wight County October term 1890.

Batten and wife Pltfs

vs. In Chancery

Stott & wife et. als. Defts

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner George A. Atkinson filed herein October 6th 1890 to which report no exceptions are filed, and was argued by counsel. On consideration whereof the court approving the said report doth adjudge order and decree that R. S. Thomas who is hereby appointed a special commissioner for that purpose do proceed to sell at public auction, at Isle of Wight court house on a county court day the tract of land in the bill and proceedings mentioned of which Sallie Fletcher Pope died seized and possessed, lying and being in the County of Isle of Wight containing by estimation about (319) Three Hundred and nineteen acres more or less bounded on the north by the old Zuberville Mill Pond on the West by the lands of W. R. R. Chapman E. P. Womble formerly the Moody tract Beale and others on the south by the lands of A. J. Turner & others and on the

Battin O.L. Inf.

$4.03

Dec 25

3,7 8

O. L. Ballin & Sally F. his wife — Dr.

1890 To the Clk. of Isle of Wight Cir. Ct.

Oct. Filing Comm's rept., entg. decree & copy, &)

1891 C.F. of bond &c — 50, Double &c —) 3.78

~~Costs at Sept. '91~~ ~~.25~~

N. P. Young, Clk — $4.03

Batten O. C.
Wf –

16.37
3 78
1015 –

O. F. Batten & Sally F. his wife Dr.

1890 To the Clk. of the Co. Court of Wright Cir. Ct.

Mar. & 2 summ. in chy. vs. Stoll & wife Fals. 50-

Apl. 15 copies 1.80 - mlg. 86. post & attn. 10 - filg. bill

Eighbts. 40 - returns. 70. subs 1.00. docktg. 18 } 4.70

1889 Nov. Ord. to summ. R. E. Boykin comm. in suit vs. }

Edwards' admr. } .36

Summ. & copy mlg. .45

1890 Apl. decree, copy - mlg. vs. Stoll wife Fals. .83

H. P. Young Clk $6.37

PRINTING

Norfolk, Va., June 1 1892

Mr S Thomas Special Commissioner
in Baltin & Wife v Slott et al

To Norfolk Landmark Publishing Co., Dr.

STEAM BOOK AND JOB PRINTING HOUSE,

'PHONE 163. 83 AND 85 MAIN STREET.

12	To 100 ⅛ Sheet Bills for Notice of Sale in Baltin & Wife V. Slott et al		1 50

Rd W M Murray
7/4/92 Cashier

Sold to E. Howard 1500

NOTICE

R S Thomas Cancer
To Ro & Executors
To Selling Prop Inch Board 15 500

50
80
2
5-0
67
225

NOTICE

Under and by virtue of the decree of the Circuit Court, of Isle of Wight County, in the suit of Batten and wife against Stott and wife and others, rendered at its October term 1890, I shall offer for

Sale at Isle of Wight Courthouse, at Public Auction, on

Tuesday the 5th day of July, 1892

(THAT BEING COURT DAY)

That certain piece or parcel of land, lying and being in the County of Isle of Wight, of which Sallie Fletcher Pope, died, seised and possessed, containing by estimation about three hundred and nineteen (319) acres, be the same more or less, bounded on the North by the Old Mill Pond (formerly called the R. R. Chapman Mill Pond), on the West by the lands of E. P. Womble (formerly the Moody tract), on the South by the lands of A. J. Turner and others, and on the East by the lands of John R. Bradshaw, A. J. Turner, —— Atkins and others.

TERMS:

So much cash as is necessary to pay cost and expenses of suit and sale, and the balance in two equal installments payable in six and twelve months from day of sale, for which bond with good security, with a waiver of the homestead, and with interest from day of sale, will be required, and title retained till the further order of the Court.

R. S. THOMAS,
Special Commissioner.

Clerk's Office, Isle of Wight County, 1890.

I, N. P. Young, Clerk of the Circuit Court of said county, do certify that the bond required to be executed by R. S. Thomas, Commissioner, by the decree refered to in the above notice, has been given. with security deemed sufficient by law.

Teste: N. P. YOUNG, Clerk.

Sale of the Saddle Fleuher Pope Land. $800-00
80.24
Costs
Balance — — — — 719.76
1/2 at 6 m ht 359.88. 1/2 of 125 & 359.88 = 719.76

In Vacancy in petition Deliver
to E. P. Wanbee the
1st purchase bond in
the above entitled case

R. S. Thomas

May 4th 1893

Baltus D. &
vs
Womble et al
Rm & Deem

To be entered

C W Dell

Entered # 11

Batten C. L
v
Womble E. P. et-al.

This cause came on this day to be heard on the bill taken for confessed by all of the Defendants on all of whom process has been duly served they still failing to appear, plead answer, or demur, as the exhibit filed and was argued by counsel: On consideration whereof the court doth adjudge, order, and decree that one of the Commissioners of this court - depot - do cause whether or not the tract of land in the bill mentioned can be conveniently partitioned between the parties entitled thereto; if this can not be done whether any two or more of the parties elect to have their shares laid off together: or if this can not be done whether any one of the entire subject can be allotted to any one party who will accept the same & pay therefor to the other parties such sum or sums of money as their interests therein entitle them to, together with any other matter deemed pertinent by himself or required by any of the parties to be so stated.

Batten O.L.

vs.

Womble E. P. et Als

Decree of April Term 1890

for costs

A copy

In the Circuit Court of Isle of Wight county
April term 1890.

Batten O. L. Pltff

vs. } In Chancery

Womble E. P. etals Defts

This cause came on this day to be heard on the bill taken for confessed by all the defendants, on all of whom process has been duly served, they still failing to appear plea, answer or demur, on the Exhibits filed and was argued by counsel, on consideration whereof the court doth adjudge order and decree, that one of the commissioners of this court report to court whether or not, the tract of land in the bill mentioned can be conveniently partitioned between the parties entitled thereto; if this cannot be done, whether the entire subject can be allotted to any one party, who will accept the same and pay therefor to the other parties such sum or sums of money as their interest therein entitles them to, together with any other matter deemed pertinent by himself or required by any of the parties to be so stated.

A copy Teste A. F. Young Deputy
for W. P. Young clk.

Ballou + Wife
v
Slott + Wife et al

Recd in Court
October 20 1890
John Whitaker
Clerk

(Exhibit 2)

gin before the Chancellor appointed and Rule
Fifteen Days as the Rule
tained for the Plaintiff
and in this Cause, and
ed Written) the Sale of the
Plaintiff and Ric
Lunn + Place of Sale
of Murphy-Canon Hotel
or by the Day of Sale,
co in the County of
Brake or Agent-of his
Delen by a further
Chancellor this

Battin & Wife

v

Slott & Wife et-al

This Cause came on this day to be heard on the papers formerly read and on the report of Commissioner George R. Atkinson filed herein October 6th 1890 to which report no exceptions are filed and was argued by Counsel: On consideration whereof the Court approving the said report doth adjudge order and decree that R. S. Thomas who is hereby appointed a Special Commissioner for that purpose do proceed to sell at public auction at the South West Court House on a county court day the Tract of land in the bill and proceedings mentioned of which Sallie Fletcher Pope died seized and possessed lying and being in the county of Isle of Wight containing by estimation about (319) Three Hundred and Nineteen acres more or less bounded on the North by the old Jerusville Mill Pond, on the West by the lands of S.S. Beale and others, on the South by the lands of A. J. Turner and others and on the East by the lands of John R. Braddham, A. J. Turner and others after first or so much cash as will pay the costs and expenses of suit and sale and the balance on a credit of Six and Twelve Months taking from the purchaser bond with good security with a waiver of the homestead exemption with interest from date - title to be retained till the further order of the Court. But the said R. S. Thomas Special Commissioner as aforesaid shall not make sale of the said tract of land until he shall

a bond before the clerk of this court in
the penalty of $700—
Dollars with security to be approved
of by the said clerk and thereupon
- being bound for the faithful performa
- ance of his duties under this decree

Baldwin v Wife
vs
Stitt v Wife

Decree
Ordered June 1874
Do Recorded
C.T.D.

Entered #5
&
Spent

Bacon + Wife

v

Slatt + Wife

This cause came on this day to be again heard on the papers formerly read, and on the report of R.S. Thomas special Commissioner of sale to which report no exceptions are filed and was argued by Counsel: On Consideration Whereof, the Court doth confirm the said report and doth adjudge, order and decree that the said R.S. Thomas who is hereby appointed a Special Commissioner for that purpose doth withdraw the said bonds of the purchaser, E.P. Wemble, filed with his report on leaving with the clerk of this Court his receipt therefor and collect the same at maturity, as before, should payment therefor be made before maturity, and on payment of the same to make to the purchaser a good and sufficient deed in fee simple with special warranty for the tract of land in the bill and proceedings mentioned. But the said R.S. Thomas, Special Commissioner as aforesaid, shall before he collects the said bonds enter into

Battin & Wife
v. Decree
Slott et-al

Decree
May 16 1893
To be entered
CMH

Entered

Ballin & Wife
v.
Sloth 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 adjudge, order, and decree, that R.S. Thomas who has heretofore been appointed a special Commissioner in this cause for the purpose of sale, of collection of the bonds of the purchaser, and for the purpose of making him a good and sufficient deed in fee-simple with special warranty on the payment of the purchase money, shall also as such Commissioner when the purchase money is received first pay the costs heretofore made pay first the unpaid costs of this suit and our attorneys fee to himself of fifty dollars for his services as attorney in this cause and the balance pay over to the parties respectively, as they shall respectively be entitled, and make report of his proceedings to a future term of this Court.

~~Stobt~~
Ballin + Wife

V

Slotto + Wife
Rush Deane
April 20 1894

To be entered
C W H

Entries #10

~~Slate~~

Batten + Wife

v

Slate + Wife

This cause came on this day to be again heard on the papers formerly read, and on the report of payments made by R. S. Thomas special Commissioner under the decree of May 16th, 1893 to which no exceptions are filed and was argued by Counsel: On consideration Whereof the Court doth confirm the said report and nothing further remaining to be done herein it is ordered that this cause be removed from the docket.

We acknowledge service of the within notice

John F. Wamble
T. E. Wamble
Jennie F. Wamble
Ona Wamble
Georgie Wamble
B. E. Wamble

Executed by delivering a copy of this Notice to A. L. Le Baron & wife A. B. Stott & wife E. P. Wamble & R. Jordan & Nicodie C Jordan
Sept 11th 1890

Ro. A. Edwards
Sh. Fk.

Stott was wife was Alma
Jane was wife was Alma
Georgie was Nellie

Commissioners Office
Smithfield August 1st 1890

Jo. O L Ballou and Sallie F Ballou his wife Plaintiffs

and

W B Holt and Ida M his wife, R E Womble J E Womble, O W Womble
John P Womble, Eva P Womble, Georgie P Womble, James R Jordan
Willie B Jordan, Annie G Jordan, Lewis W Lampe and Lizzie L Lampe his
wife, E P Womble and Maribah Womble Defendants.

You are hereby notified that I have fixed upon the 15th day of September next, at my office aforesaid to state and report to court whether or not the tract of land in the bill mentioned, can be conveniently partitioned between the parties entitled thereto; if this can not be done, whether the entire subject can be allotted to any one party who will accept the same and pay therefor to the other parties such sums or sums of money as their interest therein entitles them to, together with any other matters pertinent or required by any of the parties to be stated, or required by order of the Circuit court of Isle of Wight county rendered at the April term 1890 in a suit wherein Jeremy Jones is plaintiff and you are parties, plaintiff and defendants; at which time and place you are required to attend

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

Geo P Atkinson
Commissioner

Executed
By delivering a true copy
of the within to Annie G
Jordan, L. W. Lane, Jr. &
Lizzie, his wife
Sept. 8th 1890.
Geo. E. Richardson
Sheriff

Fee due $1.50

Commissioners Office
Smithfield August 1st 1890

To O. L. Batten & Sallie E. his Wife Plaintiffs
and
A. B. Slott & Ida his Wife, R. E. Wimble,
J. E. Wimble, V. W. Wimble, John P. Wimble
Evva P. Wimble, Georgie P. Wimble, James
P. Jordan, Mollie C. Jordan, Annie G. Jordan
Levin W. Lane Jr & Lizzie his Wife, E. P. Wim
ble and Mattie C. Wimble Defendants

You are hereby notified that I have fixed upon
the 13th day of September next at my office
aforesaid & there and report to Court whether or not
the tract of land in the bill and proceedings men-
tioned can be conveniently partitioned between the
parties entitled thereto: if this can not be done
whether the entire subject can be allotted to any one
party who will pay accept the same and pay proper
to the other parties such sum or sums of money as
there interests therein entitle them to, together
with any other matter deemed pertinent or re-
quired by any of the parties to be so stated as requir
-ed by a decree of the circuit Court of Johnston
County rendered at the April Term 1890 in the
Suit in Chancery pending therein in which you
are parties plaintiffs and defendants at which
time & place you are required to attend.

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

E. R. Atkinson Comr
by R. S. Thomas

Battin & wife

Z Coun. Ct.

vs. Z Bond.

Stott & wife et als.

//

a copy.

Know All Men by These Presents:

THAT WE, R. S. Thomas and J. O. Thomas

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Two Thousand DOLLARS, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 1st day of Dec., in the year one thousand eight hundred and ~~eighty~~ ninety and in the 115th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound R. S. Thomas who by decree of the circuit court of Isle of Wight county rendered at the Octo. term 1890, in the chancery cause therein pending between O. L. Battle &c pltffs. & A. B. Stott &c defts. was appointed commissioner to sell the land in the proceeding mentioned & make report &c under said decree shall faithfully discharge the duties of said office or trust then the above obligation to be void, or else to remain in full force and virtue. We hereby waive the Homestead Exemption as to this obligation, and we also waive any right, claim or privilege to discharge any liability arising under said bond, or by virtue of said office or trust, in any ~~currency, funds, counter-claims, or offsets other than legal tender currency of the United States.~~ Coupon detached from bond issued by the State of Virginia.

R. S. Thomas SEAL

J. O. Thomas SEAL

SEAL

SEAL

SEAL

Circuit

IN ISLE OF WIGHT COUNTY COURT, Clerk's office, Dec. 1st 1890

This bond was executed and acknowledged ~~in open Court~~ by the obligors to the same, and admitted to be recorded. The security having qualified

Teste, A. P. Young CLERK.

A copy. Teste, A. P. Young clk

Bodleian Lib

N. Clerk's certificate of bond

Slate & wipe

Isle of Wight county, To wit.

I, N. P. Young Clerk of the circuit Court of the county of Isle of Wight, do certify that R. S. Thomas, Commissioner named in the decree rendered on the 20th day of April 1893, in the suit of O. L. Battle and wife against A. B. Stott et als: dated; has given the bond required by said decree with security deemed sufficient.

Teste, N. P. Young Clk.