

1901-004

Chancery Cause: Sallie W. Baker, admx of Richard H. Baker vs Anna V. Pitt & d

Dele of Wright County

Folder 1

other surnames: Davis
Holleman, White, Stallings,
Cox, Barlow, Wells, Godwyn
Holland, James Channell
Thomas, Whitehead, Godwin
[J. W. Holloway & Company],
Holloway

R. H. Baker's Account
et. u. &c.

75.

Pitt et. als.

Bill of Complaint

1st debt. rules. bill filed
down. dismissed on costs paid
I desire issue writ to them & out
order. Feb. or 2nd day. Baker's account
7th 1890

2^d debt. rules.
Bill taken for confessed as
all debts except Alex Baker

September 20th 1890

for costs

Oct. term 1890

as assigned, to sell & partition

Sept. term 1890

Final

TO the Honorable, Robert R. Prentis, judge of the Circuit Court
of Isle of Wight county, Virginia:-

Your complainant Sallie W. Baker administratrix with the
the will annexed of R.H.Baker deceased and in her own right respectfully
presents to the court the following case:-

That in the year 1892 R.H.Baker made and published his last
will and testament, and afterwards duly made a codicil thereto, an office
copy of which is herewith filed as an exhibit marked "A" and is prayed
to be taken and read as a part of this bill, and in 1896 said R.H.Baker
departed this life leaving said will and codicil which was on the 3rd.
day of August 1896 duly admitted to probat in the county court of Isle
of Wight county, and said Sallie W. Baker, the widow of said testator,
qualified as the administratrix with the will annexed of said R.H. Baker
deceased, all of which will appear by reference to a copy of the order
of said court appended to said last will and testament.

Your complainant says that a large portion of the property
of the said testator is real estate lying and being in the counties of
Isle of Wight and Surry in the state of Virginia, and is not suscepti-
ble of partition in kind to and among the parties mentioned in the said
will according to its terms and conditions, that your complainant is in-
formed and believes there are judgment liens on some of the shares or in-
terests in said real estate, and she says that a sale of the same and
partition of the net proceeds of sale according to the provisions of the
said will as construed by this court will be necessary to the settlement
of the said estate, ✓ to the best interest of all concerned.

Your complainant says that said sister Lavinia Pitt
mentioned in said will and codicil departed this life intestate several
years ago, leaving as her children and only heirs at law and distributees
the following: Anna V. Pitt, Geo. E. Pitt, James H. Pitt, Mary E. Davis
the wife of James T. Davis who was Pitt, Walter B. Pitt, D. Urqhart Pitt,
and J. Meador Pitt all of whom reside in the county of Nansemond except
said Mrs Davis who resides with her husband in the county of Isle of
Wight, that Alexander Baker is a non-resident of this state and resides

in the city of Baltimore in the state of Maryland, that Calvin Baker resides in the county of Isle of Wight and that Eddie M. Baker sometimes called Eddie Baker resides in the said county of Isle of Wight or in the county of Surry near the Isle of Wight line. That the said tetator died in the county of Isle of Wight wherein lies the greater portion of the said real estate.

Your complainant in her own right wishes to have her share of the said estate partitioned, allotted or paid to her and thinks a sale of the said real estate and disvision of the net proceeds accoring to said will and codicil will be entirely fair and just to all parties concerned and will give better satisfaction than any other method of division, and she is advised that she is entitled to have her share in said estate.

Your complainant is advised that she is entitled to have the said will and codicil thereto construed by this court and to have said estate administered and settled in this court, and to that end she hereby promises that as soon as made she will file an inventory and appraisalment of the personal property coming into her hands and an account of all sales made by her in the papers of this cause or will file the same with any commissioner or otherwise according to the orders of this court from time to time.

And for as much as your complainant is remediless save in this honorable court where matters of this sort are alone and properly cognizable she prays that Anna V. Pitt; James H. Pitt; Mary E. Davis who was Pitt, and James T. Davis her husband; Geo. E. Pitt; Walter B. Pitt; D. Urqhart Pitt; J. Meador Pitt; Calvin Baker; Alexander Baker and Eddie M. Baker sometimes called Eddie Baker be made parties defendants to this bill and required to answer the same, that an answer on oath is hereby expressly waived, that an order of publication be had and executed as to the non-resident defendant Alexander Baker, that the last will and testament with the codicil thereto be construed by this court, that the real estate named and embraced in said will be sold for partition and that the net proceeds of sale be distrib-

uted under orders of this court according to the true meaning of the provisions of said will and codicil, that said estate personal and real be wholly administered, that all such enquiries and accounts be taken, stated and reproted as may be needful or necessary to an equitable partition of said real estate and a full and final settlement of the whole estate, that all proper and reasoable attorney fees be allowed, that all such other and further general relief be afforded your complainant as to equity and good conscience may seem meet or as the nature of her case may require . And she will ever pray. Let a subpoena go.

Wm S. Hall and, p.q.

Sallie M Baker Administratrix
with the will annexed of R.H.Baker decd.
and in her own right.

Executed this the 1st day of Sept 1896 by delivering
 a true Copy of the within process to D L Pitt
 and leaving a Copy with Mrs G E Pitt the wife of
 George E Pitt a female over the age of 16 years he not
 found at his usual place of abode and delivering
 a Copy to Annie V Pitt in person and leaving true Copies
 of the within process with Annie V Pitt a Member of the
 family over the age of 16 years for Walter B Pitt James D
 Pitt & J Meader Pitt they not found at their usual
 place of abode

R E Hoggan Deput
 For A B Boker Shff

Form No. 300.

Dakota State Seal

U.S.

SUBPOENA
 IN
 CHANCERY.

Pitt State

W. D. Stoddard p. q.

To State September Rules

Chancery Court.

Oct 24 1896
 Anne V Pitt

The Commonwealth of Virginia,

To the Sherriff of the County of Norfolk, Greeting:

WE COMMAND YOU, That you summon Anna V. Pitt, George E. Pitt,
James A. Pitt, Mary E. Davis who was Pitt
and James J. Davis her husband, Walter B. Pitt,
D. Arguhart Pitt, J. Meador Pitt, Calvin Baker, Alexander
Baker and Eddin M. Baker

to appear at the Clerk's Office of the Circuit Court of the County of Rich of High-
at the rules to be held for the said Court on the first Monday in September, 1896,
to answer a bill in Chancery, exhibited against them in our said Court by Sallie
W. Baker administratrix with the will annexed of R. N.
Baker deceased and on her own right.

And have then there this writ. Witness, M. F. Young Clerk of our said
Court, at the court-house, the 8th day of August 1896, and in the 121 year
of the Commonwealth.

M. F. Young, clk

Baker's adm. et al.

vs. }
 SUBPOENA
 IN
 CHANCERY.

Pitt et al.

W. A. Wallard p. q.

To First September Rules

Circuit Court.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon

*Anna V. Pitt; Geo. E. Pitt, James
N. Pitt, Mary E. Davis who was Pitt and James T.
Davis her husband; Walter B. Pitt, D. Unghart Pitt,
J. Meador Pitt, Calummi Baker, Alexander Baker and
Eddie M. Baker*

to appear at the Clerk's Office of the *County* Court of the *County* of *Isle of Wight* -
at the rules to be held for the said Court on the *first* Monday in *September*, 189*6*,
to answer a bill in Chancery, exhibited against *them* in our said Court by *Sallie
H. Baker administratrix with the will annexed of
R. H. Baker deceased and in her own right*

And have then there this writ. Witness, *N. F. Young* Clerk of our said
Court, at the court-house, the *8th* day of *August* 189*6*, and in the *121* year
of the Commonwealth.

N. F. Young clk

Baker,s administratrix &c

vs

Pitt et als.

Order Publication, affi-
davit for.

Filed. Aug. 8th 1890

Virginia:

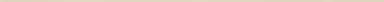
Isle of Wight county, to wit:

This day William S. Holland appeared in person before me, a ^{Notary}~~justice~~
~~of the peace~~ ^{Public} in and for the county of Isle of Wight in the state of Vir-
ginia aforesaid and made oath that Alexander Baker one of the defendants
against whom Sallie W. Baker administratrix of ~~With~~ the will annexed
of R.H. Baker deceased and in her own right has lately instituted a suit
in equity in the Circuit Court of the said Isle of Wight county, is a
non-resident of this Commonwealth.

Given under my hand, this 7th day of August 1896.

James T. Holmer J.P.

W. S. Holland



My Dear Sir:

Mr Baker & others told me that the Heame tract of land was not worth more than (2, or 300th) ^{tho} or three hundred dollars of land. I haven't any idea in the world that it is worth (\$400-) From Hundred dollars. At the sale there was not a bid in it. That I could see, except - that made by Eddie Baker and ~~some~~ Mr Bay, two hundred young men that I am informed are not as poor as \$50.00 of property. That these two young men that should run up the property to \$15-25th is very remarkable. The effect of it - is to injure Mr Calvin Baker & the Pitts. The interest of Mr Baker is assigned to parties that I represent. I do not care unnecessarily to benefit the Pitts, but - I cannot, allow the Baker interests, assigned to my clients - to go without opposition to Mr Baker. That property sold at least - \$1000.00 beyond a possible benefit. Mr Baker gets 1/2 of that = 500 - 1/2 of that would go to Pitts & 1/2 to Calvin Baker. If Mr Baker will pay me this 1/2, or 2, Two Hundred and Fifty dollars I will not oppose the sale - otherwise I must do

Yours R. S. Sherman

Baker House

Pitt and others
Report of
Commissioner Atkinson
under decree of
September 26th 1896

Filed October 16th 1896

1 debts outstanding and unpaid against the said estate amounting, with interest
2 to the 26th day of October 1896 to the sum of \$351.97; that he finds as shown by ac-
3 count B, that the fee simple value of the real estate belonging to the said R H Baker
4 is of the sum of \$3298.00, he does not report on the amount of value of the said
5 lands because no evidence on the subject was introduced, he further finds, as
6 shown by account C, that before Baker is indebted to the said R H Baker inclusive
7 of interest to October 26th 1896 in the sum of \$77.68 and that the said before Baker
8 is solvent and that after and as Baker is indebted to the said R H Baker inclu-
9 sive of interest to the 26th day of October 1896 in the sum of \$666.32 and is in-
10 solvent.

11 Your commissioner further reports specially at the request of W H Jones
12 that the said W H Jones has a judgment in favor of the estate of W H Pitt
13 in the real estate of the said R H Baker for the sum of \$1125.31, as
14 shown in account marked H.

15 Given under my hand as a commissioner in chancery of the said court
16 the day and year first above said.

17 Geo R Atkinson Cb.

18 Since employed 21 hours

19 Commissioner fee \$15.75 Paid July 4th 1897 Geo R Atkinson

20 Sheriff's fee of W. \$2.50

21 " " " " \$2.00

Debts due by Alexander Baker			
W. Baker's bond	350 87		
Paid by R. H. Baker as security for A. Baker to W. Jones	350 87		
due from 17 1890 to October 26, 1896	120 87	291 72	
Paid by R. H. Baker as security for same to J. S. Gordon	100 00		
due from May 8 th 1884	74 80	174 80	
		666 52	

Account of
 An account of liens against the legacies, on their interest in land.

Indorsement of Circuit Court of Massachusetts County			
against W. H. Pitt in favor of W. H. Jones & company			
as joint and bondsmen. April Term 1896	1100 00		
due from April 23, 1896 to October 26 1896	33 33		
lent	11 76	1143 31	

Comptroller's Office
 Southfield October 13th 1896

To the Circuit Court of the County of Middlesex
 Pursuant to a decree of the said court rendered on the 26th day of September 1896 in a suit in chancery pending therein between Fannie W. Baker in her own right and as administratrix with the will annexed of R. H. Baker deceased plaintiffs and the said W. H. Pitt and others defendants, the undersigned a commissioner in chancery of said court to whom was referred for settlement by said decree the following accounts and inquiries to wit 1st An account of the debts outstanding and unpaid against the said testator, with their priorities and dignities, 2nd The amount and full value of the real estate in the bill and proceedings mentioned, 3rd The several debts due by Robert Baker and Alexander Baker to the said testator and whether the same are solvent or insolvent, reports that on the 3rd day of October 1896 he issued notices against the said parties requiring them to attend at his office aforesaid on the 13th day of October 1896 the testimony and making the said accounts and inquiries which were returned duly served and on the date of this report he completed the foregoing accounts returned herewith marked A, B and C. He finds as shown by account A that the

An account of the debts and standing and unpaid against the estate of
Richard H Baker deceased, with their priorities and dignities.

Heard and Co

J. B. Grounley Jr. Ho account.

from June 1st 1896 to October 26th 1896

Warren Guy account

Ind from May 13th 1896 to same date

" RR Jones account

but from June 15 1896 to same hole

W. W. Hallam my account

Sub from March 2nd 1896 to June 1st

W. J. Marshall account

Ind from August 1st 1896 to June 10th

u R L Sherman Band of Indians Baker mess. R H Baker

Ext from July 1st 1896 to October 26th 1896

851 97

The annual and fee simple values of the real estate of which R A Baker died seized

Herbert B.

One tract of land of 104 acres in Port Harbor

h n n ~~h~~ h 51 h n hbo

h h h h 25 h h h

Our first bought of Mr W. H. H. 373 was

One Wall Unit in Library 1 seen

See Index

2080 00

306 00

195 v v

932 00

50 00

2393

Uesunt b.

The account of the several debts due by Baker and Carpenter Baker to the said R H Baker.

Bills due by Colonel Baker.

Yours truly
Wm. H. Hunt, Jr. 1894

Sept to October 26th 1896

Ues und

Sub from January 1st 1895

60 68

966

7 40

42

7084

734

77-68

Bahus now has

~~P~~ Pitt has

depositions of

witnesses

Ans I have those Mr Gale and one or two others had much fault to find with it - whether it has been patronized by the ^{best} people is too hard for me I have not been living down there long enough.

Ques 8 At least she has been keeping school there several years has she not?

Ans Yes Sir - I think so.

Ques 9 How far would your client be attending this school have to go through the woods.

Ans all the way - it is about a mile.

And further this deponent says that
E. M. Baker

Sworn to and subscribed before us and seen and sworn the 2nd day of October 1898.

Wm R. Atkinson

in any ship within a mile of the schoo-
mon ship by Mr Marable, did not miss
ward, kept schoo there the previous
session and for several sessions prior
thereto.

Ans Ans. I think she did.

Q 5- Is not that the schoo which Mr Geo. F.
Ramsey. John Holloman and other
most prominent citizens of that section
and their children.

Ans No Sir. I do not think either Mr Hol-
loman or Mr Ramsey - either one send
any children there.

Q 6 To what schoo did they send their
children.

Ans To Mill Swamp I think. as they are
all large. at least of Mr Ramsey, Mr
Holloman has no children.

Ques 7 Has not this schoo attended to,
kept by Miss Ward - been patronized
by the most prominent people in
that section

getting one of my birds.

Ques 12 Are your children old enough to attend school. if so how many.

Ans Son 2 old enough. one 7 and the other 6.

Examiner

Q1 Is the school near May Peframsto
or you have attended a public
or private school

Ans a public school

Q2 How far moved you have been
from that school.

Ans From where I was going to live. it
moved have been about a mile.

Q3 moved your children in going to
school. ^{in district} for the whole way along the
public road. not through the woods
or any part of it

Ans to woods at all; the public road all
the way.

Q4 You state that you live now and are

would rent a part of my Blain Pefram's
place in Surrey so I would be close
to a good school said to be the best
country school around. To send
my children to. Then I thought I
could make money up there to have to
clear up this down here of mine.
These are about my reasons.

Ques 9 State whether or not the land of
May Pefram's you spoke of renting is
very good land.

Ans Country to be as good as there is
around the estate.

Ques 10 Is there a school near you.

Ans There is one about a mile from me
I guess. They don't have any teacher
then. They have Mr. Morabes now I
think.

Ques 11 Do you have to go from your school
house to the school you say is near you,
almost entirely through the woods.

Ans all the way through the woods after

Ans No Sir - not there way

Ques 5- Did you offer to sell him your open land alone and without any other land at 500 per acre.

Ans No Sir

Ques 6 I understand however you did offer to sell him 100 acres more or less, which included the open land and most of the swamp land at 500 an acre. is this correct

Ans Yes Sir.

Ques 7 Why did you offer to sell him the three cornered piece of land containing some 10 or 15 acres at about 200 per acre.

Ans Because it was off kinder to iting and I did not think it was worth so much.

Ques 8 What were your reasons for offering to sell out your land.

Ans Well - The reason was I thought I

A When I offered to sell him 100 acres more or less we were at my house. When I offered to sell him the three cornered piece it was just a little outside of my gate, about 50 yards - at the turn of the path.

Q 3 Was the 100 acres ^{more or less} you offered to sell him the part of your land next to Bormy Corral

Ans Yes Sir

Q 4 ~~Did~~ State whether or not the said 100 acres included the most or all of the swamp land on your place and the open land as well.

Ans It included all of the open land and pretty well all of the swamp land.

Quest - State whether or not at the time you have mentioned, or at any other time, you offered to sell Charles Wells your open land at 50⁰⁰ per acre and the wood land next to Bormy Corral at 25⁰⁰ per acre or less.

for 25⁰⁰ a year. or I would rent it to
him for 50⁰⁰ a year. and I said I
can't make any firm bargain bar-
gain with you now. then I would let
him know Saturday night if he
came to my house. I then asked
him if he did not want to buy
some. he asked me what did I
charge for it and where abouts at.
I told him if he would take it from
Stallcup Swamp clear across the place
of Penny Dunes. I thought it would be
100 acres more or less, I would sell
him then at 5⁰⁰ an acre. then I
went on our other gate going off I told
him I had some. if he liked it, I
would sell it to him at a little less.
He asked me how much less. I told
him oh no. it is a very cornered piece
I think it is about 10 or 15 acres
something like that. I will let you
have it at something like 2⁰⁰
an acre, that was all that was
said about it.

Q. 2 ~~where~~ you. on what part of your land
were you when you offered to sell him
the land part of land you have mentioned

And further this Deponent- Sant not-
Charles ^{his} Wells
may

Eddie Baker. a witness of longue ex-
introduced on the part of B. S. Cox adm-
of Sallie Baker. being duly sworn depo-
sits and says as follows.

Q:

State whether or not you had any con-
versation with Chas Wells as to renting
him your land, which is the subject
of the controversy in this suit, or as
to selling him the same or any part
thereof - if so state when, where and
what conversation you had with him.

Ans

I had a conversation with him. I was
at Berry Jones helping stack fodder
this ^{about Sept} eve. Chas said he wanted
to rent a place. I told him I had
a place I did not rent you I reckon,
if I could get a place like I wanted.
Said all right Sir. We will come over in
a few days and see you. He did come.
asked me how much did I want for
it. I told him that if he would clean
up 2 acres of ground - put a thousand
rails on the fence he could rent it

cheaper, and therefore the question is lead-
-ing in the most objectionable sense.

Answer He did not tell me the price of the
wooded land, but I did not tell me the price of the
land, viz five dollars per acre.

Q Do I understand you to say that Mr
Baker did not put the price per
acre in the wooded land - all?

Ans. Question objected to for the foregoing reasons
and for the further reason that it is an at-
tempt to impeach the parties own witness.

Q He did not. He said he could let
me have it cheaper than the open land
after a while.

Q State whether or not - you Mr Eddie Baker
has been to see you since last Monday

Answer No. Sir. He has not.

Q State, whether, or not, you told on Mon-
day last - state to Mr Calvin Baker and
to Mr R. W. Stallings that Mr Eddie
Baker offered to sell you the Eddie
Baker land spoken of for \$1.50 or
\$2.00 per acre.

Ans. Question objected to, because it is an
effort to impeach the parties own witness.

Answer I do not dispute his word, but
I do not recollect - ^{Mr Calvin Baker} telling him so. Mr
Stallings says I told him so, but I do not
recollect - I.

Plant collected or not. The tree and plant pointed to me just
outside the fence enclosing Mrs. Roberts' open land.

yes they were ^{first} made like the fence.

Q Still how far the Barmah Carved Land
is from this Iron Edge Baster land

and I don't know Sir. The Home farm
is not very far from Mr Baker. I don't
know where the lands join.

Q Does the bar 3rd come any where
near the Devision line

Am 10. Mär.

Q How far do you go from ^{my} ~~the~~ place of Mr Edder
Baker before you come to the open land
of Mr Barnab Barrell

Ans! Thus - one quarter of a mile

Q In this offer to sell the land over there (waving his hand) state of you understood Mr Baker to offer to sell his own land

Ans Yes Sir

Q Still whether or not — he offered to sell that land for a dollar and a half or two dollars an acre, and if so, what was it —

Question objected to because witness
has heretofore stated that he did not say
for how much he would seed; but
did say he would seed; right-much

bargain between me and him ^{but} and we
came to no conclusion for I had to see him
again. I did not see him again about me-
king any bargain. He told me to wait - I -
and he might sell it after a while.

5 Question. State whether or not - Mr EDDIE Baker at
the time spoken of above, or at any other
time ever offered to sell you the above
land and if so when and where

Ans He told me he would sell me some
after a while. That - pretty well ended it
as to it.

6 Q State whether Mr Baker at any time offered to sell you
any land for a money that was in your hand of or when did he
do it and how much was then due he charge.
Answer He said if he got in the money to sell he would charge
five dollars and some for the open land and ~~the balance of~~ ^{that was} your
~~that~~ ~~therefore~~ that was there, including his house. eight
much cheaper. but I did not what I said he would
what open land that he would sell to.

Where his house is and where he has a crop on now.
When he said he would sell the land over there is good that
cheaper. to what land that he pointed
He was near at the gate coming from the house he would take
him to the right towards the P. church corner place
Abund how far is this gate from the Eddie Baker house
I reckon about 150 yards.

What you getting to the gate

was near your chimney gate.

There

3 Question Still if you know Mr Eddie Baker quite well, and if you also know this tract of land quite well.

Answer I do not-know Mr Baker very well and I do not-know the land very well.

4th Question, Still whether or not- Mr Eddie Baker have ever offered to sell or rent- you this Heem tract-of land on which he lives, & if so when & where and all that was said.

Ans: Yes Sir, he offered to rent-it to me and him were working together one day and he asked me if I wanted to rent-a place and I said I did. He asked me if I had seen his place and I told him I had. He asked me when to come over and look at-it-the next-morning and I went-over the next-morning and he asked me what-I would give and I asked him what-he would take. He told me if I wanted such two acres of land a year, and put-a thousand rods on the fence I could have it-for twenty five dollars a year. There is no chimney to the house and if he put-a chimney to it-he would charge me fifty dollars for it. That was the of-

10 Q

If one third of the land, which you have stated consists of stream, and bog, was well ditched, and drained would not the soil be very good.

Ans

Some of it - would, and some of it - would not.

And further they dependent - so with not -
R. L. Stallings

The further taking of these depositions is adjourned to the 20th of October A.D. 1898

October 20th 1898

Present - R. S. Thomas atty for the Plaintiff
and R. L. Boykin attorney for the Defendant

Charles Wells being duly sworn deposes and says

1 Question State your age, residence and occupation.

I am forty two years of age, reside in the County of Longworth - and am a farmer.

2 Question. State how near you live to the tract of land in the Bill and Proceedings mentioned called, The Heame Tract of land to be bought by Mr. J. H. Baker in December last.
'96

Answer About two miles, and have lived here for the last two years and am farming

land in the last-eight-ten years?
Ans Well, I suppose some half a dozen
times a year

4th Ques How far do you live from it -

Ans: About a mile and a half

5th Ques Do you mean to say you have been over
it - sixty times in the last-ten years.

Ans I reckon I have been there enough
sixty times in the last-ten years.

6th Q Did you go over the whole land, or only
over a part of it -

Ans: Sometimes I would pretty well over
all of it; and some times only over a part
of it.

7th Ques In going over the land some sixty times
as you have stated, did you not - general-
ly go over some ^{particular} path, or way
simply as a method of crossing the land?

Answer. Part of the time I did, and part
of the time I did not.

7th Q Did you not - most of the time?

Ans No, Sir

8th Q For what - purpose did you go on this land.

Ans Well, hunting, looking for crows,
selling parts that I brought of me Dick
Baker.

9th Q What - sort - of hunting.

Ans Squawking, hair-hunting, fox-hunting

no better than the others. It only
differed from the others in having a
stick chimney to it.

Crop Examined

1 Question

I understand that about $\frac{1}{3}$ of this
land, consists of branches, bogs and
so forth; and the other $\frac{2}{3}$ is capable
of being reduced to cultivation. Is this
correct?

Answer

Yes, Sir.

2 Q

Would the $\frac{2}{3}$, which is capable of being
reduced to cultivation, be fairly good soil?

Answer:

Well there is a part of it that would
be, and a part not. A part of it not-
ing but real light-sand land.

3. Question

How much of it would be good
soil?

Ans:

Well now, you are to have present I
don't know.

4 Q

About how much would be good soil?

Answer.

Well, I reckon you might get some
forty acres, not all together, that would
be tolerable fair land.

5 Q

Would not the light-land you have
alluded to be good for some crops?

Ans:

Well I have never yet seen any real
gravel sand or land like that, that
was good for any crop much.

6 Ques.

How often have you been on this

I do not think it is worth over a
dollar and a half a cre.

3 Question. Describe whether a not-gun had been,
on, and on the land, in recent years &
if so when & for what purpose.

Answer

I went on there the last time ^{or there} ~~two~~ ^{four} months ago to look for a ^{foxing green} ~~land~~ ^{to Ed's} and
went - I left Ed's I went from there
to Benney Jones home, and it is about
 $\frac{3}{4}$ of a mile from Ed's house to his
boundary line. I ~~do~~ ^{all} went through
there twice last June or July a
year ago looking for a cow, ~~and~~ with
a negro man helping me and he told
how a man looks, when he is looking
for a cow. There was ^{just} enough lumber
on the land to put a fence ~~and~~ ^{if} every
tree was split.

4th Question. Describe the houses in it - & their
condition before Ed went there

Answer. I think there were two, or three
there then, three I think, all three
the same size, saw-mill shanties.
Not fit for any one to live in, two of
them had no chimney to them, the
other one Lorenzo Green lived in when
he was there, and he left - because it
was not fit for him to live in. It was

The Deed of R. W. Stallings and others
taken this 17th day of October 1898 has
been read to adjournment -

Present - R. S. Thomas, atty for the Plaintiff

R. E. Barker a " " Defendant -

R. W. Stallings a witness of lawful age
deposes as follows

1 Question. State your age, residence and occupation

Answer. I am twenty eight years of age, re-
side in the County of Issa of Oregon,
and am a farmer by occupation

2 Question. State whether or not you know Ed-
die Baker mentioned in the proceedings
of this suit; if you are acquainted with
the tract of land called in these proceed-
ings the Heam tract of land, and if so
be kind enough to tell us all you know
of it; and the value of the said tract of land.

Answer. I know Ed Baker, and have been
knowing all his life ever since he was
some five or six years of age. I live
about a mile and a half from the Heam
tract of land and I have been knowing
all my life. My father's land (J. W.
Stallings) adjoins it. There are about 303
acres of it in all; the branches, the
branches or take up about 1/5 of it; about
15 or 16 acres are open and under fence

Bakers when I was

no

Pitt & Co

Declarations of
Witnesses

14.10.1
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Q You were in here yesterday whilst Mr Hallerman, Mr Stallings, Mr White and others were testifying and heard their statements of the value of this land. At which standing that I understood you to say you were still willing to bid \$4500 on ~~the~~ for it. Is that correct?

Ans Yes, Sir.

Re-Examined

Q You have said in your Examination that you and your wife father Mr McCoy went upon the Heam tract of land prior to the day of sale. For what purpose did you go upon it?

Ans To look at it - to see how it lay, because I wanted to buy it & to see what I was willing to give.

And further this Dependent-said not.

Lee Barlow

Given to and subscribed before me as said Commissioner the 2nd day of May 1898 and the further taking of said depositions was continued

Geo R Atkinson,
Commissioner in Charge

from \$350 to 400 or \$500 dollars
Ans: Yes, sir. I say so if I was satisfied
to give it.

Q Have you any reasons for yourself
except - those given by you.

Ans: I have since told you and I admit
I can tell you. They offered to help
me in a tract of land, but not in
this Heam tract of land.

Q When the way tract of land they ever
first to help you buy was the Billy
Holt tract of land?

Ans: I was not the way tract of land that
he ever offered to help me buy. He
George Pilman offered to help me buy the tract that
he ~~was~~ George Pilman bought of
Susan Warren.

Q What did he give you?

Ans: \$350, I think.

Q If he offered to help you buy it - why
did he buy it - himself?

Ans: Because I did not want it. There
wasn't enough there for a two horse
crop.

Q Have you seen this Heam tract of land
since the sale?

Ans: Yes, sir, some three times. I might
be found haven't seen it - ever & was.

#150. ^{than that}
Ans I had a mule I could sell for \$100.
I could have gotten the balance out of
my crop

Q Did you have this money from the sales
of your crops

Ans I had it - I made it - I was
there 3 years before.

Q ~~Would~~ How could you cultivate the
land had of you and your team?

Ans I had the team beside the mule
one horse.

Q He is a married man with a
family, & of so how much family.

Ans I have a wife & four children

Q And could you support them on a
tract of land with only some 15 or 20
acres of cleared land

Ans. Oh! yes. Sir. by clearing up some more

Q Could you could not cultivate it un-
til you cleared it up, could you?

Ans No, Sir. I reckon I could not some
until I cleared some up.

Q Do you mean to say that either Mr
Pitman, or Mr Combs would have
given you your bonds for \$1000 for the
purchase of a tract of land that you need
said, & that, when farmers living
right beside it - valued it only

Ans He is Mr Combs - that's all I can tell
you. He lives at - his, or as formerly
called Deerup Hill

Q What - property - does he own

Ans Real Estate & personal estate, with
some ^{4 or 5000} - all told

Q When did he offer to loan you any money
& how much.

Ans He never ~~so~~ offered to loan me any
money at - all. We were talking one
day about - the Beebe tract - of land and
he offered to help me to buy the
place, if I needed help.

Q Did either P. Man or Combs ever
offer to help you buy a tract of land in
Deerup right -

Ans No, Sir, I never asked them

Q On the day of the sale of the Heam tract
of land did you have \$500 in Cash

Ans Not - all that.

Q How much did you have

Ans I had \$350.01

Q Of your own money

Ans Yes, Sir.

Q Not - loaned to you by any body else.

Ans A - was mine & not loaned to me by
any body else

Q Had were you going to raise the other

Q What-was he to loan it-for

Ans. To pay in land

Q On what-land

Ans Better tract-belonging to Billy ^{Holt} Berry-
man

Q Did he make this offer before any sale
of that place.

Ans Yes, Sir.

Q Had much was he willing to loan, or
to buy that place.

Ans He did not-say - He said what-I would

Q Was it-seed.

Ans Yes Sir

Q Who bought it-

Ans Burton Davis

Q What did he give for it-

Ans \$1100-

Q What did you bid in it-

Ans \$1000

Q What were the terms of sale

Ans \$100 cash, & the balance in 53 cars.

Q How were you to raise the \$100 cash

Ans I had it-

How were you to secure him

Ans He did not-ask me for any.

Q Was he to give you security for \$900 - with-
out any security at all.

Ans He did not-ask me for any security.

Q Who is your creditor & where does he live

Q At that part for.
Ans Yes, Sir

Q How do you know

Ans He says ev - that's all I know about it - of
the man he bought - then of says so, too.

Q At that any judgments against it,
or deeds of trust and -

Ans No Sir. I don't guess there is

Q How do you know

Ans Because he had no need for it -

Q Did you ~~or~~ ever examine the books of
- file to see.

Ans No Sir. I had no cause to do it -

Q When you do not know of your own perso-
nal knowledge

Ans Yes, Sir

Q You know this without making any ex-
amination at all or without having
I made for you.

Ans Yes, Sir.

Q When did he offer to loan you any
money, & how much

Ans He offered to loan me some last
year if I had wanted it -

Q How much.

Ans I did not borrow any. He said he would
loan me some if I needed it; & I did not
need it -

me prior to the day of sale & that was when
you & Mr. McBay were there

Ans Yes, Sir. That's right.

Q On the day of sale, where did you stand

Ans I stood right in front of the hotel steps,
like.

Q Were you right in front of the auctioneer
or to his right - or to his left -

Ans I was to his right; and nearly up to the
other end of the porch.

Q How far were you from Mr. Baker

Ans About - 20 steps I reckon.

Q Did Eddie Baker, marry a daughter of
Mr. McBay, ~~by a former business~~

Ans Yes, Sir.

Q Where does George Edman live

Ans He lives close to Grinders Mill there
on the crop roads

Q You said he was a man "some means"
of how much means.

Ans Some 3 or 4000 dollars I guess

Q In what - does it - consist -

Ans He got two farms & runs a store & such

Q Where are the farms located, the size of
them, & the value of each.

Ans One is valued at - \$1500. I don't know what -
is the value of the last one he bought &
have not heard him say. They are in Surrey
and on the other side of Deerings Mill.

Pitman's

Q Where does he live

Ans Close to Deering, or Emmons mill
It is now called Emmons mill

Q How many years did you live here

Ans Two

Q On what terms

Ans On the same terms, 1/25 or a year.

Q When you say you are a farmer
you mean to say you are a renter of
land, & rent where you can. Is that
correct?

Ans Yes, Sir

Q Do you own an acre of real estate ^{wood} with

Ans: No, Sir.

Q How far is it from the Russell farm to
the Heame tract of land ^{before} spoken of?

Ans About - 13, or 14 miles

Q State how often had you been on that
tract prior to the day of sale

Ans: I had been on there once only

Q When was that, & with whom did you go.

Ans I went with Mr McCoy - ^{two or three} times
before the sale.

Q Who is Mr McCoy

Ans It is Bill McCoy and married my
mother

Q When you were never on that tract but -

Russell himself died about a year ago
last-March.

Q Do you own the whole or any part
of that farm

Ans I own the whole farm.

Q For on what terms?

For one fourth of the crop this year

Q How long have you rented it -

Ans I rented it - last - year and ^{was} ~~was~~ ^{working for} ~~was~~ ^{gave her} ~~was~~ ^{1/2 of the crop.}

Q Are you renting it - this year & of course
what terms.

Ans For a fourth of the crop.

Q What team have you

Ans Two horses.

Q Is that all.

Ans Yes.

Q Where did you live before you went
to the Russell farm

Ans Munksdell on the other side of the
road

Q How many years did you live there

Ans Two

Q On what terms did you stay there

Ans I gave a rent - of \$25.00 a year
fixed -

Q Where did you live prior to that

Ans I lived up yard & close to George
Petman.

Ques. Did you run up this land to injure any person or to benefit any person other than yourself.

Ans. No Sir -

Ques. Then I understand from your answers to the foregoing questions that you run up the land to 1500 because you thought it was worth it. That no one requested you to do it - and that your sole purpose in running it up was that you might buy it, am I correct.

Ans. Yes Sir

Ques. If this land was again exposed to sale would you be willing to buy it at 1500 on the same terms it was exposed to sale.

Ans. Yes Sir -

Examined

Q In what-part of Surrey do you live

Ans In a mile of Balcarris Castle

Q On what-farm

Ans On the farm of Billy Rowell

Q Does he own that farm

Ans I suppose his estate owns it; as Mr

Ans. Yes Sir -

Ques. Loans our money in his section sometimes doesn't he,

Ans. Yes Sir -

Ques. How you any reason to think he would have helped you buy this land.

Ans. No more than before that he told me if I wanted any help he would help me.

Ques.

When you bid on this land did you know that running it up, would benefit Mrs Baker and your Colvin Baker.

Ans.

No Sir I did not.

Ques.

Had any one told you that such would be the result.

Ans. No Sir -

Ques.

Were you or are intimate with Mrs Baker.

Ans. No Sir -

Ques. Had you any other purpose in running up the land except that you wanted it.

Ans. No Sir - I wanted it for myself.

asked to become your security.

Ans. Geo Pitman

Ques. Is he a man of some means.

Ans. Yes.

Ques. How you any reason to think he would not become your security - If so why.

Ans. Well because he told me if I ~~had~~ wanted any help he would help me.

Ques. State whether or not he has since or before offered to become your security to buy a tract of land.

Ans. Yes Sir - I went to buy a piece of land and he offered to become my security -

Ques. Did you buy the land.

Ans. - another man offered more than I was willing to give

Ques. What did the piece of land sell for.

Ans. 1000

Ques. Do you know Mr Crowder.

Ans. Yes.

Ques. He is quite a prosperous man is he.

bidding on the land that you intended to bid on it.

Ans. No Sir

Ques. Did he know you intended to bid on it?

Ans. No Sir. I do not know as he did.

Ques. Did he ask you to bid on the land?

Ans. No Sir.

Ques. Did Mrs Baker or any one for her ask you to bid on the land.

Ans.

No Sir, they did not.

Ques.

Did any one ask you to bid on the land.

Ans. No Sir.

Ques. Why did you bid on it.

Ans. Because I wanted it.

Ques. Did you consider it worth \$500 the sum you bid.

Ans. Yes Sir

Ques. Could you have complied with the terms of sale - if you had bought it.

Ans. Yes Sir. I guess I could.

Ques. What would you have

Sale of Mythe & H. and did you bid
on the same.

Ans. Yes Sir.

Ques. To what amount did you
run it.

Ans. 1500

Ques. What was your first bid, if
you remember.

Ans. I think it was 1250⁰⁰.

Ques. What was the first bid made
and by whom.

Ans. 500 I think by Eddie Baker.

Ques. Who ran it up besides Eddie
Baker.

Ans. That fellow. Fred Turner.

Ques. To what amount do you
think Fred Turner ran it.

Ans. I do not know exactly some
where between 1000, 1100 or 1200. I
can't say exactly.

Ques. How long had it been prior
to the day of sale since you had
seen Eddie Baker.

Ans. About a month.

Ques. How far did you live from
him.

Ans. About five miles.

Ques. Had you loved him before

Ans. I think her nephew - a Mr. Gray
who lives on the place with her.

Ques. Where does he live now.

Ans. I do not know.

Ques. When did he leave the Co

Ans. He left there after she got
her drop in. in 1896. and I do
not know his present residence.

Ques.

What conversation did you
have with her if any about these
several tracts of land - prior to
day of sale.

Ans.

I did not know any that I
remember.

And further this deponent
says that not.

B. L. Cox

W. H. L. Bolton a witness of law -
due ex - deposes and says
as follows.

Ques. State your name - ex - resi-
dence and occupation.

Ans. W. H. L. Bolton. Generally called
Su Bolton. 36, Surrey - Former.

Ques. Were you present at the
sale of the several tracts of land as

not know whether it was one month
or two months or more before the
sale. I do not remember. I did
not try to remember, as I did not
think anything of it at all.

Ques. Was this soon after the death
of Mr Baker.

Ans. I do not know whether it was
very soon after his death, it was
sometime between his death and
the sale of the land.

Ques. Was it was before his will
was admitted to probate.

Ans. No Sir. It was after Drickon.

Ques. Was it before this will was
brought.

Ans. Oh yes Sir. I had not
heard anything of it, and Drickon is a
before and brought. which I find was as Sept 6 - 1886.

Ques. What did she do on this
subject after this will was
brought and the sale of the land
was made.

Ans. I never heard her say anything
further about it.

Ques. Did you take Mrs Baker to
Middson to consult ^{att} ^{att} about the will.

Ans. No Sir

Ques. Who did.

such as Mr. Horn used in the saw
mill business, and had been left
there unused for many years. Do
not the corner.

Ans. They were only left there unused about
2 years. The balance of the time
Sorenz Green lived in them - or
used them for his fuel.

Ques. You have stated that there were
only 20 acres of open land on
the tract when you bought it,
how many acres of high land and
how many of boggy land.

Ans. As near as I can come at it,
I think there is 200 or more acres of
good level land, the balance of it,
some is porous land - and some
ravines running up into it - I
do not think there are one two of
them which could not be cultivated
by putting a ditch into them.

Ques. What do you mean by porous
land.

Ans. I mean land which holds water,
water stands on it, and the scrubby
bushes, requires ditching and draining
to cultivate it.

and further This deponent

her husband.

Ans. No Sir.

Ques. Did any one else ever tell you
prior to the day of sale who she was
to get.

Ans. Yes Sir.

Ques. Who was it.

Ans. It was like whom I told you
this morning about my post. Several
told me she would get half of the
estate.

Ques. When you knew on the day of sale
from source that she was to have
half of your much estate under her
will.

Ans. I only knew of it first by whom
other people told me.

Ques. Could you not take 15000 and
buy an infinitely better tract of land than
the 15000 tract.

Ans. I do not think so on those times.

Ques. Could you not with 5000 cash
and 5000 in twelve ^{months} and 5000 in two years,
buy an infinitely better tract than that
tract.

Ans. No Sir. I do not think so. If I knew
one like that - I would try to buy it.

Ques. The houses that were on that
land, at the day of sale, were only

Q Did you value that Heam tract prior
to the day of sale at - \$1525.

Ans Yes, Sir.

Q Did you know when you bought it -
what he gave for it - the land that
he had sold to Mary Green, & the Cud
wood that he had sold to N. D. Pilman.

Ans Well I knew about the time he
bought the place. I heard him say
a heap of times he gave \$1000 for it.
I heard him say that he had sold
to Mary Green & what he got for it.
I heard him tell other people that he sold
the Cud wood to Nathan Pilman, but
I do not remember ^{him say} for how much.

Q When you valued on the day of sale at -
\$1525 a tract of land for which you
much only gave a thousand, and from
which he sold 60 acres of land to
Mary Green at - \$300, and Cud wood
to Nathan Pilman. Is that correct -

Ans Yes Sir.

Ques. Then your motive in bidding 1525 -
for that tract of land was solely to
benefit yourself - is that correct.

Ans. Yes Sir.

Ques. Did Mrs Baker ever tell you
where she was to go under the mill of

Q Does he own any ^{personal} ~~real~~ Estate

Ans Yes and the land for me. I cannot tell you what he owns.

Q Is he farming on his own stock

Ans I think he is.

Q When I understood you to say, that prior to the day of sale you did not know, & did not have any reason to believe that Fred Furber would bid a cent in the Ham place, & his doing so was a perfect surprise to you. Am I correct?

Ans Yes, Sir.

Q You have stated that, How high did Mr Furber run up the land?

Ans I do not know exactly - about a good deal over \$1200.

Q When did Mr de Barlow commence the bidding

Ans I do not know what his first bid was - nothing about it.

Q What was his second bid

Ans I do not know

Q What were any of his bids

Ans I do not know any thing about any of his ~~last~~ bids except his bid for \$1500 - I do not know how many he made, nor what they were nor any thing about them

There.

Ans. I don't remember whether I spent
the day or ^{the first time} just stopped in going by,
^{about half an hour or so.} I remember going by several times and
was stopping but can't say it was
the first time.

Ques.

Then I understand you to
say that several times after his
death you went by and spent a
half an hour or so. am I wrong?

Ans. Yes Sir.

Ques.

When did you there I spend
the day?

Ans. I can't tell you exactly -
it was not very long.

Q How many times did you spend the
day with Mrs Baker prior to the
day of the sale of the land?

Ans. I don't know in answer I
can't tell you. I have no idea

Q Did you on several occasions
prior to the said sale spend the day with
her?

Ans. Yes Sir, some three or four
different times.

Q Was the personal property used prior

Ques. When did your uncle Richman
die.

Ans. Died 8th of June 1896, I think
it was.

Ques.

Where were you living at that time,

Ans.

At W. H. Pitmans in Surrey.

Ques.

How long had you been living
there.

Ans. That was the second year.

Ques. Where did you live before going
to Pitmans.

Ans.

With Mr John Shady Meadows in
Surrey for 2 years. I left my
uncles 8 years ago in Day care.

Ques. How long did you live
with your uncle Richard-

Ans. 15 or 16 years.

Ques. How soon after his death
did you visit your uncle
Richards home.

Ans. It was not very long - about
a week or fortnight. I was of course
at his funeral.

Ques. At your visit after his fu-
neral how long did you remain

Ans. I moved in willing to bid what I bid before.

Ques.

Please state whether or not at the time of the bidding - and when you bid, you were aware that running up the land would benefit Mrs Baker - or in favor Mr. Edwin Baker.

Ans.

I had never thought anything about it all.

Ques.

Had any one ever stated in your presence or in any manner suggested, ~~that~~ that such would be the effect of running up the land.

Ans. Not as I know of. I do not remember any one.

Ques.

Did you know that such would be the effect -

Ans

No Sir - I had never thought anything about that point.

Examin'd by Committee for Edwin Baker.

Ques. How many children have you. How you a wife living.

Ans. a wife and five children.

Ques. How old is your oldest child and how old your younger.

Ans.

oldest 7 yrs. Younger about 7 months.

Ques. ~~State whether or not~~ how many acres of the land ^{was} cleared ~~at time of sale~~ ~~land was~~

Ans. as near as I can guess. about 20 acres.

Ques. What houses ^{were} on the land.

Ans. 4. at time of sale. 3 were houses in which Mr. Hearn and his wife men lived in. other a crib.

Ques. What was the general condition of the houses.

Ans. The lumber in the houses were good. The blocks under them had rotten down. The shingles on two of them pretty well rotten, the other are right.

Ques.

If this land was resold what amount would you be willing to bid for it.

was five hundred dollars, what-^{ever} the next bid.

Ans Well now sir, I don't know ^{exactly} what was the next bid.

Q What-^{do} you think I was

Ans. I can't give you any idea, because I did not take any particular notice what-I was

Q Did you especially notice the bids, or bidding

Ans: Well I took notice at that time how much was bidding & such as that; but now I do not remember. I do not remember whether I was \$25, \$50, or \$100

Q What was the bidding after that.

Ans Well sir after that the bids ^{I don't think the bids were} first-^{at a time} was over \$25: or at a time.

Q About how many bids were made in all as well as you remember

Ans I can't tell you at all. I do not remember

Q Where does Mr Fred Turner live

Ans He lives at the Jim Turner, or Borne place.

Q Does he own any real estate

Ans I do not know.

Correct-

Ans. Yes, Sir

Q On the Day the land was sold at the C. H. how near did you stand to the Hotel Park and Auctioneer?

Ans Well Sir, about as far from him as the side walk, counter is fifteen steps.

Q Who stood next to you immediately at your left?

Ans I do not know Sir. I do not remember

Q Where did Mr Fred Turner stand.

Ans. I don't know exactly but he was behind me, somewhere. I do not know how close he was to me.

Q Then you were not standing side by side, or so nearly so as easily to communicate with each other

Ans No Sir

Q How would you describe that man is Mr Fred Turner?

Ans: About my age, we were boys & grew up together about the same time.

Q Where did Mr ^{de}Barlow stand at the sale.

Ans If I am not mistaken I was in front of both of them. I can't say exactly. I

Q Think I was nearest to the Auctioneer, & they in my rear.

Q You have stated that you first bid

nothing to do with it. That was all that was said about the sale.

Q When did you ^{first} see your uncle Richard will?

Ans The first time I saw the will was the first of this year.

Q Did you have more than one lacker with your aunt - Sally about the provisions of the will for your benefit?

Ans No Sir: Only the one just now referred to

Q Who else informed you of the provisions of that will for your benefit - ^{say of sale} prior to the

Ans: No one at all: no more than several people told me I'd get the value of that piece of land, Mr Cox (B.L.) sitting there for one.

Q Who were some of the others

Ans: I but remember them at all.

If I am not mistaken I think Mr Ned Davis told me of it. I can't call up one else's name now for I do not remember.

Q Then you had the knowledge that you were entitled to what the ^{hearing} land was for from Mr Baker, Mr B.L. Cox, Mr Ned Davis, and others whose names you can not now remember & that

Is the sale of the land

Ans No Sir, that was sold after the sale of the land, I think.

Q Did you on any of those visits of half an hour or so, or on any of the days that you spent with Mrs Baker talk about Mrs Baker's affairs and estate.

Ans Well, Sir, no more than she was talking about how he left - every thing, except one time that I was there just before the sale of the land

Q What did you talk about then.

Ans She said to me that Mrs Dick left me the value of the Heartland of land & what was I going to do with it - I told her I did not know hardly what I would do. She says you had better let the land be sold and take the money and take care of your children with it. I said to her that the money wouldn't do me any good. That the land would be sold in two years time I'd get the money in such a way I wouldn't do me any good at all. That I had rather have the land than have the money. She said well "go ahead and ask your wife. I've got

Ans. Yes Sir.

Ques.

Then if I understand you, you ran up the land and bill it off at 15-20- because you thought it was worth that amount, and wanted it at that price, and I come.

Ans.

Yes Sir.

Ques.

What is the character of the soil on this land. when cleared.

Ans. Very good.

Ques.

Would it be difficult to clear, or expensive.

Ans. No Sir - very little expense.

Ques. How does the land lie in the main, broken and full - or fairly level.

Ans.

Most of it is level land.

Ques. Dried cleared.

Ans. Yes Sir.

Ques. When cleared, would it make a valuable farm, or not.

Ans. I think it would - as good as the average of farms around.

1
being as much as possible.
Ans.

No Sir. She did not.

Ques.

State whether or not you
ran up the land to benefit Mrs
Baker, or in favor Mr Calvin Baker
or others.

Ans. No Sir -

I ran it up for the benefit
of myself.

Ques.

How benefit yourself.

Ans. Because I thought it would
give me more money.

~~Ans.~~

Ques.

How did you think it would
give you more money by running
it up.

Ans. I thought if it sold for more
than I thought it was worth I
would let it go. I thought the
land was worth 1525.00

Ques.

If I understand you correctly
^{thought} you took the land was worth
1525 - and more to you than that
sum of money. Am I correct.

you to live on the land or run it up.
Ans.

She did not.

Ques.

Still whether or not you
had any conversation with her
about the land prior to the day of
sale - if so what.

Ans.

I was down there at her home
place. about a month, I reckon,
before the sale. and she told me
that the ~~it~~ state of land,
the value of it was given to me,
and what was I going to do
with it. She said I had better
let it be sold and take the
money and support my chil-
dren with it. I said to her: if I
take the money it would never do
me any good, that I would rather
have the land than the money. She
said do to suit yourself. I have
nothing to do with it. That was
all that was said about it.

Ques.

Did she or not advise ^{or request} you to
run up the land and make it

1 13 1
had been any agreement or understanding ^{of any kind} between you, Mr Boston, Mrs Baker or any other person that this land should be turned
Ans

No. None at all.

Ques.

Did you know, in any manner, that any person other than yourself intended to ~~turn~~ bid on the land.

Ans.

No Sir.

Ques.

Did you in any manner encourage bidding on the land by ^{a person or} persons other than yourself.

Ans.

No Sir.

Ques.

What relation or connection exists between you and Mr Boston.

Ans.

None at all except I married his half sister.

Ques

State whether or not Mrs Baker or any person for her advised

Ques. Was there any other reason than those you have mentioned which caused you to run up the land.

Ans.

Because I moved rather low the land than the money. I thought the same would do me more good.

Ques.

Were there the reasons and only reasons which caused you to run up the land and bid it off.

Ans. - Yes Sir.

Ques.

When had you seen Mr. E. Barton prior to day of sale.

Ans.

I had not seen him in about a month I don't think.

Ques.

Before the bid, did you know or had ^{you} been informed that he moved his ~~off~~ the land.

Ans.

No. Not at all.

Ques.

State whether or not there

Ans. Mr Le Baron.

Ques. It has been stated that the bidding on the said land was increased 1000 at a bid - please state if such was the case - ~~and how~~ and as near as you can how much the bidding was increased at a bid, Ans.

I do not think there were over 2 bids at 1000 but some two who made them - as near as my memory I do not think there was over 2500 in money on bids.

Ques.

Why did you bid 152500 on this land.

Ans.

Because I wanted the land.

Ques.

What did you ~~the land~~ consider the land worth.

Ans.

I considered the land worth 1500 or 1600.

~~Moved~~

Ques. Moved you see the land as what you bid it off.

Ans.

~~I moved~~ No Sir.

Q It on the 7th day of Decr 1896
and bid off the same.

Ans.

Yrs Sir - I did.

Ques.

at what price.

Ans. \$1525⁰⁰

Ques.

who else bid on the same and
their names.

Ans.

Mr Su Bolton was one and Fred
Turner was another.

Ques.

who made the first bid and the
amount.

Ans

I think I made the first bid.
500⁰⁰

Ques.

Do you know ^{or can you recall} to whose amount
Fred Turner ran up the same, if so
state it.

Ans.

I think Fred Turner ran the
same up between 1000 and \$200⁰⁰
~~Ans.~~ Ques.

Ques. Who was the next to the last bidder.

12
Eddie^m Baker - a witness of LaFue
agr. deposes and says in answer to the
following questions -

Ques.

State your name - agr. residence and
occupation.

Ans.

E. M. Baker. Dale of Wyke co.
farmer. 28.

Ques.

Are you a nephew of R. H. Baker
and Calvin Baker.

Ans.

Yes Sir.

Ques.

Then Mrs R H Baker was your
aunt by marriage - was she not.

Ans.

Yes Sir.

Ques.

Are you the same ^{Eddie} ~~E. M.~~ Baker to
whom was devised by R. H. Baker the
proceeds of sale of the Horn tract
of land.

Ans.

Yes Sir

Ques.

Will you attend the sale of
the said land in Dale of Wyke

Ans.

They did not pay me anything, only they are to give me credit for what they get.

Ques.

~~As~~ I understand then that you are indebted to M. & J. Davis & Co, and that you have assigned to them your interest in the estate of R & B Baker to secure your indebtedness to them, and ~~also~~ they are to give your accounts credit with any amount they may receive from said estate, is that correct.

Ans. Yes Sir. with whatever they get, and further this deponent says all true.

Calvin Baker

can as to which he was ignorant. The witness on his direct examination has been asked to explain the language used and objection has been made to his answering as as to cut him off from any explanation he has to give. If the witness has either intentionally or ignorantly answered a question he is entitled as a man matter of common justice to any explanation he may wish to give and that is all that he claims and all that is being insisted upon.

Counsel for Mrs James and the attorney of Mrs Baker asks the Commissioner to note and report to Court - the occurrences and statements made ^{and occurring in the interval} between the exception and the reply thereto.

Re-examines with our waiver of exceptions.

Ques.

You have stated that you have assigned your interest in the estate of R. H. Baker to M. S. J. Bond. How did they pay you for it.

Though prior to ~~his~~ ^{the} suggestion word
and manner of his course he
had repeatedly disclaimed any
charge of fraud on the part of
Baker or Gordon in running up
the saw - and expressly stated
that they simply made a mis-
take as to the value of the saw -
and the attention of the commis-
sioner is expressly called to the
method of examination being
pursued.

Rejoinder. The course for Colvin
Baker implies that the questions
to which objection has been made
are in no sense leading and
that they have been raised
purposely as broad as they could
by any possibility be made so
the witness might draw his
attention drawn to the questions
which have been in previous
propounded to him on his
cross examination. Those ques-
tions were in previous framed
so as to lead from the witness
his replies. Not so much to
matters of fact with which he is
familiar as they were to matters of

reason.

✓ Ans. I can say no more than I
have stated.

Ques repeated.

✓ May I think from the report
I heard that they did it for
the benefit of Mrs Baker.

Answer excepted^d because
confessedly based on a rumour
the source of which he does
not know, and not upon facts -
and for the further reason
that the witness gives his thoughts
and not facts or opinion.

Ques. State whether or not your
charge is that the said Baker
and Bulson - made a mere mis-
take in judgment as to the value
of the land - or that they conspired
together to benefit Mrs Baker and
to injure you and your creditors.

Ques and any answer thereto
excepted ~~there~~^d as leading. The
question being leading in the most
offensive form - indicating to the
witness the character of the
answer desired. And putting the
word desired in his mouth.

The defendant replies that he is endeavoring to win the facts in the case, and will leave to the Court to win the conclusions of law. if the facts establish a conspiracy between the parties the Court will be asked. To say that it was a fraud upon the rights of Oliver Baker and his creditors, and he charges everything those facts justify.

Counsel replies. That course charges fraud but claims expressly disclaims such charge. and that in the above question facts are not asked for. but a conclusion to be reached by the witness.

Ans.

I do not know that they mean to commit a fraud. but it was my injury. I do not know that they intended a fraud. but it was. I would not say they intended a fraud.

Ques.

You have said in your cross examination that said Baker & Barlow. had some reason for running up the saw-whet

Ques. Watching this sale as you did, do you remember any bid for the Turn tract of land - made by any person there Eddie Baker and Lu Boston.

Ans. No Sir.

Ques.

Of this ~~sale~~ land sold for about its value, was or was not Mrs Baker & Co benefited by this sales.

Ans. Yes Sir, according to what you lawyers say about the sale, or what the Court says.

Ques. Have either or not you and your creditors were not injured nor in proportion as ^{theirs} ~~you are~~ benefited.

Ans. Of course.

Ques. Have either Eddie Baker and Lu Boston taken up this land ~~you were not~~ ~~to~~ to an excessive value a fraud was not committed upon your rights.

Ques and answer thereto excepted to because leading - and because no such conclusion follows from the premises.

were running up the place so rapidly
and so much about its value.

Ques.

State whether or not you had
some reason and if so what reason
for watching that bidding closely,

Excepted the same bidding

Ans. I was interested in the sale
of the land and I wanted to watch
the sale of it.

There ~~is~~ was a rumor. I do not
know where I got it. Some one
asked why can't Ed die Baker run
up the land and get it all for Mrs
Baker and himself.

Counsel objects to statement of
Rumors.

Ques. State did not ^{this} rumor exist
long prior to day of sale. Ques objects
to fact finding.

Ans.

Sys Sir.

Ques. State whether or not this
rumor had you directed that sale
with solicitude and particularly,
Ans. ^{Ques objects to as leading}

Yes. it did. I showed more
how watched it so particularly
but for the rumor.

Ques. State when you were on
the day of case - and your position
as to Edai Baker & Su Bolon.

Ques and any answer thereto excepted,
because he was fully examined in
chief in this matter & is now being re-
examined as to any new matter brought
out on Xth day. It is agreed that this exception
shall apply to all questions of the same of person without being re-examined.
Of this I understand. This is
is intended entirely to refer to the new
matter brought out on Xth exami-
nation and to run the same
phases of the questions which
have been propounded by
counsel for Mrs James and also
of Mrs Baker.

Ans.

at the C.H. on the porch of the
hotel - a little to the right of the
auctioneer. Edai Baker & Bolon
were in front and a little to the
right of me.

Ques. State whether you observed them
clearly, specially and purposely
at that time.

Question and any answer thereto
excepted to because leading.

Ans. Yes Sir I did - because they

in running up the land - and that
 neither of them could have paid
 for the land - if they had where
 borrowed the money on the land
 with which to pay for it.

Ans.

No and if they go there to work
^{they could} pay for the land from it, and
 support their family - unless a very
 small family.

~~Ans.~~

Ques.

Then your charge is that Edan
 Baker & Sir Carlson run up the
 property a good deal beyond its
 value. Am I correct.

Ans.

Yes Sir, according to my
 judgment.

Ques. - This is all you charge,
 is it not.

Ans.

Yes.

Re Examined.

Ques. Tell me whether or not you
 did not a long time ago make
 an assignment of all of your
 interest in this case to Mr. S. J. Davis
 of the City of Norfolk.

Ans. Yes Sir.

a mistake - I think it ^{was} like I
said first, they must have had
some motive,

Ques.

State what that motive was
Ans. I think the motive was
to take from me what was coming
to me - what my brother left me,
to get all that comes.

Ques.

And to give it to whom
Ans.

Mrs Baker would have had
the benefit of it - I do not know
to whom she would give it to.

1
Ans. Yes that has been my argument
all the way I thought, I think they
did it for that reason.

Ques. For what reason.

Ans. The reason the reason I
know ^{which was} why they could not they run
it up to 4 or 500.

Ques repeated and witness asked
to note the question and give
reply.

Ans. Well I think they did it to
injure me and benefit Mrs Baker.

Ques.

Then do I understand you to
say that it was not a mere
mistake of judgment.

Exception. Question and any
answer ~~excepted~~ become
leading - and it assumes ~~so~~
that the counsel understands
that that witness has said that
it was not a ^{mere} mistake of judgment,
while in fact he has made no
such statement - and is ~~the~~
to the highest extent leading -
indicating the character of the
answer desired.

Ans.

I do not think it was altogether

Ques. How you not made such a charge.

Ans. - I only made This charge that They had some cause for running it up above its value, when ^{neither} party could have borrowed 1500 to pay for that price of land. I do not mean that this cause was not good enough - but they could not have borrowed the money to pay for that price of land. I do not believe they could have borrowed ^{over 500 on that price of land}.

Ques.

✓ They you do not charge that that they fraudulently conspired to run up the land - but do mean to say that they ran up the land beyond its value, and that they could not have borrowed 1500 or even 500 on it to pay for it. am I correct.

Ans.

Yes Sir - you are correct. That is what I believe about it.

Ques.

Then you think from this evidence that they made a mistake in judgment in running

were other bids on the same other
than those made by Caddie ~~Baker~~
Baker and Su Barton.

Ans. I do not.

Ques. Will you swear that there were
no other bid or bids.

Ans.

No I would not.

Ques.

Then you do not mean to say
that there were no other bidders

Ans.

No Sir. I can swear positively.
I did not know of anybody else.

Ques. Were you present during all
the time the property was being sold.

Ans. Yes Sir, close to the end -
watching the bidding.

Ques.

If you are not able to swear
that there were no other bidders,
how is it you are able to charge
that Caddie Baker and Su Barton
fraudulently conspired to run up
the property.

Ans. How I made such a charge.

Ques. How you not.

Ans. I think they had some reason
for running it up.

land is selling in this condition,
I think I can come pretty close to
it -

Ques. How you ever been all
over the land.

Ans.

No Sir - as I said before I
have never been all around it - I
went through it.

Ques.

Then I understand you did
not go all around the land - but
simply went through it. Am I correct,
- Yes Sir - I went through it twice -

Ques.

You have said that Mrs R H Baker
was present at the sale of the land -
heard the bidding and saw the
land knocked out. Do you mean
to charge that Mrs Baker fraudulently
colluded with Eddie Baker and Sir
Borson to run up the land, and
thereby acquire a fraudulent adv-
antage.

Ans.

I could not say that she did -

Ques.

Do you not know that there

1 8 1
Taking the most active interest in the matter and who employed Mr Thomas, are you not.

Ans.

Yes Sir -

Ques.

You consider it to your interest to reduce the value of the property as much as you reasonably can below the amount at which it was bid off by Eddie Baker, do you not.

Ans. I want it reduced to a reasonable rate and its fair value,

Ques. Repeated.

Ans. I want to reduce it to its fair value as near as I can -

Ques.

It is to your interest to reduce it, is it not.

Ans.

I think it would be Sir.

Ques.

Have you a sufficient personal knowledge of the Maine law to prove the proper value thereon.

Ans.

As I said from the general price

half sister.

Ques. Papers marked exhibits A & B are here shown the witnesses and he is asked to read from them all of the property the said Eddie Butler is assessed with in the Co of Dale of Mich., and all the property the said Sue Bolton is assessed with in the Co of Survy.
Ans. Papers herewith filed and speak for themselves.

Cross Examined - without main of exception -

Ques.

You are a brother of R & H Baker dead - are you not - and a deacon under his will.

Ans.

Yes Sir -

Ques. - are you not the party to this suit who raised the question now before the Court - and are now prosecuting the same.

Ans.

I am one of them - the others the Dees.

Ques. you are the party who is

400L

Ques.

State whether you were present at the sale at the C. H. and missed the sale of the Horn Tree of Land.

Ans.

Yes, I was there.

Ques. State who were the bidders, describe the bidding, and the circumstances attending it.

Ans.

I saw Eddie Baker & Su Bolton who were the only ones I saw bidding. They were running it up pretty fast, 1000 at a bid.

Ques.

State whether or not Mrs Baker was present at the sale at that time.

Ans.

She was there.

Ques.

^{How} ~~Saw~~ The bidding and sale is knocked down to Eddie Baker?

Ans. Yes.

Ques. State the relationship between Eddie Baker and Su Bolton.

Ans.

Eddie Baker married Su Bolton

from whose lands in these conditions
are generally worth, most any of
those poor mill men who ^{buy} up
timber lands and cut off the
timber would be glad to see it at
100 or 125 an acre.

Ques.

State whether the timber had been
cut off this land by Mr. Hearn,
prior to the sale to your brother,
and after his ownership ~~or~~ the
wood cut by Nathan Pilman.

above exception note ques and
answer. and it is agreed shall be
regarded as made to all subsequent
questions and answers without being
repeated.

Ans.

It had.

Ques.

With a personal knowledge
of these facts - what was your esti-
mate of the fair value of this land
on the day of sale.

Ans.

As I stated according to other
other lands in these conditions
were selling it was worth 3500 or

before the sale. I came by to see her one day on some business and speaking about selling the land. She, speaking of selling the different tracts of land. and she said I wished Richard could have over the price of land Eddie got. He would have taken 4000 for it. I said Miss Tallie. I thought Richard got that to Eddie. she said he did but he was as well as you had the money for it. and she would have given him the money for it as he needed it.

Ques.

What is your opinion ~~is~~ the value of the ~~Stevie~~ tract of land on the 7th Decr 1896, the day of sale upon the terms upon which sold, ~~the~~ ^{the} course for Mrs James and the adm^{rs} of R. H. Baker objects and excepts to the testimony of R. H. Baker, and any answer to this question, he being a party in interest and Mrs R. H. Baker the other party in interest being dead.

Ans.

I could not form any direct opinion concerning it. except

Exception

with the heavy trace of law.
and if so for how long.

Ans.

I have never been all around
it. I have been through it two or
three times. You know it ever
since I have been a boy. but
didn't know the value of it at that
time. It used to be ~~owned~~ owned by
Eunice's son. his brother's sister.
I know but very little of the place.
I have been through it but twice
since my brother owned it, and that
was since his death.

Ques.

Prior to his death then you
had little personal knowledge of the
place.

Ans.

I did not.

Ques.

State whether the knowledge you
had of it was derived from what
Mrs. R. Baker chiefly.

Ans.

I did not hear him say much
about it - nor did I hear her say
anything about it ~~until~~ just

X Examiners

Ques. - Did you know Mrs R. A. Baker well.

Ans.

I think I did

Ques.

Have you any reason to believe that she fraudulently colluded with any one to run up the ^{old} property that she might acquire a fraudulent advantage and benefit therefrom.

Ans.

None in the world -
and further this deponent says it not.

E. D. Brown

Carrie Baker - a witness of fact for ex - deposes and says in answer to the following questions.

Ques.

State your ex residence and occupation, and whether you are a party to this suit.

Ans.

61 - I live of N. J. Co. Farming -
am a party to this suit.

Ques.

State whether you are acquainted

When I first knew of the no of
acres it was from the advertisement.
I don't remember how many there was
now, it was some 300 and some acres.
I heard him say he sold to Lorenzo
Linn 60 acres for \$300. I do not
know the quantity of saw wood - but as
much as my memory serves me he
sold a \$1000 worth to Nathan Pimmon.
I have no idea what Mr Baker
valued it at. A short time before
the sale of the land myself and
Mrs Baker - were in Mr R. S. Thomas's
office, they were talking about
this same piece of land. Mr Thomas
asked her what she thought it was
worth - she told him she did
not think it was worth very
much. That Mr Baker only got
a \$1000 for it, as far as my
memory serves me about that -
I may be wrong. He had sold
of \$1000 worth of wood or lumber -
and to Lorenzo Linn 60 acres
for \$300, and she valued it
3 or 4 or 500, was all it was
worth.

6)
occupation.

Ans. 51 years. Smithfield. unemployed
at present.

Ques. How long have you been a farmer a good
many years, whether you resided
in the Mire Swamp section many
years, and later a neighbor and
friend of Mr. Baker.

Ans. All of the above is correct.

Ques. State whether or not you know
the Mire tract of land belonging
to the estate of R. H. Baker, and all
of your general knowledge of the same.

Ans.

I know very little of it. I have been
on it some few times but it has
been several years since I was
there.

Ques.

State your general knowledge of the land,
the number of acres as originally bought
by Mr. Baker. The quantity sold off
and to whom. The quantity of wood
sold off by him and to whom.
and the value of the land as
estimated by Mr. Baker or his wife
shortly before the day of sale.

Ans.

My general knowledge is very limited

and I thought that I sold for a fair value.

Q What did I sell for?
Ans - 25 25: or I believe

Q Did I not sell for more than you had expected I would sell for?

Ans No, Sir.

Re Inset-

Q How much arable land is there in the said Heame tract of land on day of Sale.

Ans About - 13 acres.

Q What were the houses, & the character & number of them in the said tract of land on that day of Sale.

Ans: There were, I reckon, about 3, they were no good for any thing: ^{not in the condition they were in.} ~~They~~ ^{Two of the houses} were just-houses that Mr Heame had there for his hands: the other was a stable and crib - not much of any thing.

And for the this dependent - sent not.
James W. Stallings

E.P. Davis. a witness of Langue opening snowed uppos and soap as follows.

Ques. State your ap. Residence and

could afford to give a good deal more for it, than any one else whom it did not offend.

Q I have asked 3 or 4 times, & again ask you. What is the fair market value of the Scott land sold on the same terms as the Heam land, and I have not asked you whom

Ans it offends, or whether a man can afford to pay more for land adjoining him or not.

Ans I know nothing of the back land at all. I have never been there. I only know of the cleared land - the front of it in the road.

Q Do I understand that you decline to state what is the value of the Scott land; or do not know it sufficiently to say its value?

Ans I do not know it sufficiently to state its value.

Q Why did you not say that in the beginning?

Ans: I do not know that the question was put to me in that way exactly.

Q Do you know the home place of R. H. Baker?

Ans I know the front of it.

Q Do you know it sufficiently well to be able to say what was its fair value when sold, on the same terms as the Heam land which land contains 104 acres.

Ans: I have been passing there for a long while, seeing the crops that were sown

County, is it not?

Ans: No. Sir, I do not consider it exactly
fair.

Q The pump in alluvial is old and of
repair, is it not?

Ans: The pump was not a new pump,
fifty dollars would have repaired it.

Q Do you know the Scott tract of land that
belonged to the estate of R. B. Baker?

Ans: I have passed the place going to & coming
from Smithfield for a long time.

Q What is it worth.

Ans: That depends upon circumstances,
what a piece of land is worth.

Q That is, whether any one wants to buy it;
is it not?

Ans: That is where it is located - whether it
is convenient to a man that does want
to buy.

Q The Scott land is said to contain 25
acres, and I am informed that there is
no timber upon it - ^{about 8 acres} and cleared land. But
you know the land, ^{and} I would ask you
to tell me its fair value sold on the same
terms as the Hearn land.

~~Ans: If that is not~~

Ans: That land adjoined Mr. Alex. Scott,
right on the side of his field there, and the

turn, and properly ditched, be reasonably productive?

Ans. I think it would.

Q. What is the value of this land in 3rd or 4th opening, per acre?

Ans. I think \$450.⁰⁰ is a fair value of this place at the day it was sold.

Q. Question repeated.

Ans. That would be a little over \$1. per acre.

Q. Do you know, any considerable body of land, in that immediate vicinity, selling as low as \$1. or \$1.33 ^{per acre} ^{now - 3 years} of

Ans. Well, I do not, but I have not known a tract as barren as that sold.

Q. You have owned, and sold at different times considerable land in that section. Some of it, probably quite barren. Did you ever sell any as low, or any thing like as low as this?

Ans. I sold B. P. Chapman a farm ^{about 2 years} ^{150.00 or} of about 500 acres of it; about 200 acres cleared, with a barn 90 feet long, with a smoke house, & four tenant houses for \$1500.⁰⁰

Q. What farm was that?

Ans. The Carroll farm, & there could be a thousand, or fifteen hundred cords of wood cut off of it.

Q. That is one of the present farms in the

Ans: On the South it is bordered by a swamp, that is narrow, and low places. Then on the East or S. East - is a branch, and bogg - right - much of it. To the West, is a branch, but not - bogg - not - much waste land. Then on the North & South it borders on the main Green Road - it is pretty clear, except one branch, which is bogg some

Q State how much of this land is bogg, and how much is high, land ~~capable~~^{fit} for cultivation.

Ans: I think you might get there, in the place, of good land by ^{some} ditching about 100 acres. Pretty good land, of late, needs ~~ditching & drainage to make it any thing, but it can be ditched easily~~^{the quality of the} Fifty acres of this 100 ^{would have to be} ~~could~~ be ditched - ~~you~~ it can be ditched easily, but would not have to have a long ditch.

Crop Examination

Q Would ^a part of the 100 acres that you have said would be suitable for cultivation, would be poor in land?

Ans: Principally all of it - would be so. The most of the land would be what I call low land.

Q Would this land, when placed in cultivation

Q State what use, if any, Mr Baker made
of the balance of the land, or wood, or lumber
Ans: He sold the pine and cypress to Mr
Nathan Putnam for \$1000 — and then
as Mr Putnam, or his agent told me. I
so much of never heard this from Mr Baker. All
the above can never heard this from Mr Baker. All
- even as is the oak lies ~~and poplar wood~~ cut-off of the tract
here say, is ob after by a Dorker after Mr Putnam cut-
- jected to. the wood. The Dorker bought the ties
of Mr Baker. The poplar wood was also
cut off of the tract

Q State what in your opinion was a
fair value of the Heene tract of land
on December 7th 1896 for $\frac{1}{3}$ cash, balance
in his equal installments, with interest
from the day of sale

Ans: I was not at Court on the day of
sale, but in the afternoon I heard of the
sale of the land, and expected to have heard
of the sale at \$400 — or \$450 $\frac{2}{3}$, but I
was surprised at its being sold for what
I was

Q You have just above stated that you ex-
- pected to hear of its sale at some \$400, or
some \$450 $\frac{2}{3}$. State if you deemed that
the fair value of the land on the said day of sale
Ans I do not know.

Q State the character of the land, and of
the tract, as a whole

life

Q State whether or not you know the tract of land belonging to the Estate of R. H. Barker called the Heam tract of land, you lived near you reside to it, and you have general knowledge of that tract.

A I have known it all my life you may say, ever since I was a boy. The south corner of the tract came to within 300 yards of ~~your~~ my dwelling house, from thence up the swamp north for about a mile it bordered my land.

Q Were you familiar with the land prior to the purchase by Mr. Heam: if so about how many acres did it contain, and to whom, & when did he sell it

A. I was familiar with the land prior to its purchase by Mr. Heam. I was with him when it was surveyed by Mr. Binford, and he made the survey 376 acres. Mr. Heam sold the land to R. H. Barker. I can't tell the time. I do not know the purchase price.

Q After its purchase by Mr. Barker, state if he at any time made sale of any part ^{of any} and to whom.

A He made sale of 60 acres to ^{Mrs. Mary} ~~Lento~~ Green at \$5. per acre.

Ques. How much is there between the branches.

Ans.

I do not know.

Ques. Is this land much broken by branches.

Ans.

I do not know.

Ques. Has this land much highland upon it.

Ans.

I do not know. I do not know how many acres there is in it.

Ques. Then if I understand you properly you have very little knowledge of this land anyway.

Ans.

That is about right - only what does you say in with.

And further this deponent says it not.

Geo. W. White

James W. Stallings, being sworn deposes and says

Q. State your age, residence and occupation.

A. I am fifty years of age. I reside in the County of Solih W. Mass., and am by occupation a farmer & have been all my

mean the whole of the highland.
Ques.

How much is highland and how much branches.

Ans.

I do not know.

Ques.

What is the proportion of one to the other -

Ans

I do not know.

Ques.

Does the acreage of the of the highland exceed the acreage of the low land or vice versa.

Ans

I do not know.

Ques.

Where is the high land which is put to clear up.

Ans.

on the back of the house - and all around between the branches.

Ques.

How much of highland is there back of the house.

Ans. I do not know.

managing it.

Ques.

Moved it when it was as good as overgrown land in the morning.

Ans.

Not for five years. The second or third year moved in the best of it.

Ques.

Is there not ~~some~~ considerable good timber on the land in the branches and next to Stallup's.

Ans.

I reckon there is, I did not go down there.

Re Series.

Ques.

You have staked on your examination. Now this is pretty land to clear up. What land is it - you mean is pretty to clear up?

Ans.

I mean the Harv tract, now owned by Eddie Baker.

Ques.

Do you mean to say the whole of it would be pretty land to clear up.

Ans.

I do not mean the branches. I

willing to testify as to the value of
the land. Am I correct.

Ans.

Yes.

Ques.

Is this pretty land to clear up.

Ans.

Yes. This is pretty land to clear,
up all around the back of the
cleared land and on the sides of it.

Ques.

Would it be very costly to clear up.

Ans.

Well. I have done a good deal
of it, no matter what sort of it, it
costs you. Cost between 6 & 7^{or 8} ^{an acre} to
clear it and put it in cultivation,
not much fussing about it.

Ques.

When cleared would the soil be
good.

Ans.

Well it would be like all old fields.
would not last as long as a new
berry land - last two or three
years, then would have to go to

withdrawn.

Ques.

State whether or not there was an expression of your opinion of the fair market value of the place at that time.

Ques expected to for the same reason.

Ans.

That is what I thought of it from what I saw of it. That is what I thought of the value of it from what I saw of it. I did not see one half of it.

Examined without making of report.

Ques.

Do you think you are sufficiently acquainted with the land to be able to properly value it.

Ans.

I do not.

Ques.

How long have you been out of the land.

Ans.

It has been a long time ago before Tom Coffey died. Between 5 or 12 years ago.

Ques.

Then I understand you are not

an intention to seek to compel the witness to state the value of the land.

Ans.

That is my only objection.

Ques. What in your opinion was the value of the land. When you and Mr Benson was on the land in May or July 1897.

Ans. For Mrs James exception to about ones and any answer there be some witness has already stated that he could not testify as to the value of the land.

Ans.

Well I did not go all over the place. I remarked to Mr Benson when we came up from the branch that I. what I could see of the place. if I had money to loan. I would not like to loan over 300 or 400 on the place. I did not go on back of the farm close know timber was on the place. This was only from natural eye what I saw.

Ques. Was there an expression of the name of the land.

Ques objected to as leading - and

1
1
years and I might have increased or diminished in value
What would you have given for the place on said day of sale
for residence purposes?

I would not have given any thing for it. I ~~did not want to~~ ^{would not}
have these.

But why.

I have all the land I want.

Is that your only objection

Counsel for Mrs Jones calls the attention of the court to the
or to the fact that the witness has known the value of the
land and was not willing to testify as to its value and that
counsel is proposing to impeach his view which against which
protest is hereby made.

Counsel for defendant again states that the witness has stated he is 42
years of age that he lives about 4 miles from said tract of
land. That he was on it about 5 years ago and in answer
to the question as to its value on the day of sale said that if he
was going to buy for home purposes it was worth ^{one} thing
and for speculative purposes another, and that he is only call-
ing for the judgment of the court on the 2 points mentioned
by himself and is only intending to decide the same for the
witness's opinion and that only, and does not understand the appa-
rent reluctance of the witness to give them.

Counsel for Mrs Jones says that the witness is a man of
intelligence 42 years of age and may have passed all his
life within 4 miles of a tract well and being able to testify in
court as to its value without being subject to the exchequer of an
opponent discreditable to testify and having stated that he could
not state its value counsel has no right by process of cross ex-

Smithfield

Do you know of your own knowledge, how many
acres of this land was cleared at the time of the sale in
1899 and to their condition

I do not.

Is it a fact ~~that~~ as a rule that lands in this country are
assessed at for as much as they would sell for, one
third cash and the balance at one and two years
I do not know it to be a fact.

Do you know that this land is assessed at \$935.
I do not.

And further dependent with not.

A. J. Ballance

Joseph I. White ~~before~~ being sworn before and Smith
State your age, residence and occupation.

I am 42, born near Mill Swamp and am a farmer.

State whether or not, you know the Green tract of land
belonging to the estate of R. B. Baker, your distance from
it and your familiarity with it

I know the tract of land and live about four miles from it
I do not much about it. I was on the place about five years
and I have not seen it since until last year when I went
over a part of it. Judging by my eye I think there was
about 20 acres of open land and not much ^{timber} ~~wood~~ where I
went. I do not go all over the tract. The timber has been cut
by sawyers and wood cutters but there is enough to keep
the place up. Heave out the timber and Nathan Peterson
and the wood after Heave out the timber. I think it was

Ans. I ~~don't~~ ~~not~~ say weight from my past knowledge
of the land. I have not seen it for some years, judging it
from the past I would value ^{it} at from \$450 to \$500.

State whether you pass near the said land frequently or not
I pass near it but hardly in sight of it quite often.

State whether or not it is off or on the public road. It is off
the public road between $\frac{1}{4}$ and $\frac{1}{3}$ of a mile with woods
between and only ~~an~~ ^a private path leading to it.

State whether or not Mr Baker put any improvements on
the said land

I don't know.

State whether or not Mr Baker sets off any ~~wood~~
or lumber from the said land and if so how much
I have no knowledge.

Crops examined by E

When was you last on this land

About 15 years ago.

How often have you been on this land since you and
others sold it to Mr Mason

I have been on it three times.

How many times have you been all over the land,
only once.

How long has there been.

It was in 1873.

Then I understood you have no knowledge or familiarity
with this land for the past 15 years.

I have not.

I understood you made not for from Lyman's crop in
the Mill Swamp section is not that one of the most

How many acres were there in the entire tract
we bought one third of the timber on 373 acres of land
in 1873.

When did Mr. Brown buy this tract of land, what use did he
make of it when that he sold it

He bought it about A.D. 1875 He cut the timber off it and the
next thing I heard of it he sold the land to R.H. Baker for
\$1200. with what improvements he had put on it. I think
he sold it between A.D. 1878 and 1880.

State what improvements Mr. Brown put upon the said
land?

He put the usual building for a saw mill, it had a shed
stables and house ~~for~~ ^{for} hands.

State if Mr. Baker ^{sold} any part of the said land and if so to
whom and for how much

I think he sold about 60 acres for \$300, ^{to George Brown} but I don't know.

That land was offered for sale at public auction at
Sale of Wright & Co on Monday the 7th of December 1896 state
what in your opinion was a fair value of that land on that
day, for the land with the improvements in two instalments
of one and two years with interest from day of sale
counsel for the former recite to above question and my
answer thereto because the witness has not shown that
particularly with the subject of recent years, ^{which} has enabled
him to give an opinion and for the further reason that
the value of the land without other circumstances being
first shown is not material to the question before the court
was asked.

(1)

The depositions of H. S. Holman, Joseph H. White, James B. Higgins and others to be read on behalf of the defendants and of Edwin M. Baker and John L. Backus and others to be read on behalf of the plaintiffs, taken on the 23rd day of May 1898 and subsequently before me in court in chambers in chancery of the Circuit Court of Isle of Wight County, in a certain case referred to me by a decree of said court rendered on the 23rd day of April 1898 in a suit in chancery pending in said court between B. Backus versus of Edwin M. Baker and others plaintiffs and Edwin M. Baker and others defendants.

Present R. E. Bagley attorney for the plaintiffs

R. S. Thomas attorney for the defendants.

1st Q. A. S. Holman having been duly sworn, deposes and says, that he is your age, resident age and occupation, I am 54 years old live in Isle of Wight County near Mill Swamp and am a farmer,

2nd Q. How far are you live from the House Tract of land belonging to the estate of R. M. Baker

A. Answer. About three and a half miles, I have not been on the land for a good many years. My father and myself bought a part of the timber on said land to wit our share interest for \$500. We failed to buy the other two shares and consequently had to hold what we bought for two years, then Mr. Thomas bought the entire tract for \$1800. We did not look on the land itself as being worth much after the timber was cut off it. Our reason for placing any value on the land was that we thought of breaking a mill on it.

Bakers Wm and als

vs

Pitt and others

Report of
Game warden Atkinson
under Decree of October 26 1896

Filed April 16 1897

1896

Amount Brought forward

112 50

By Sales of Irish potatoes

3 25

" Sales of Chatham property

644 75

" " " Pen Mts

148 23

910 73

April 26 1897

By Balance due the estate per voucher

228 77

Commissioner of the
 Southfield Apr 13th 1897.

In the Circuit Court of Isle of Wight County,

Presented to a decree of the said court rendered on the 26 day of October 1896
~~presented~~ in the said in chancery pending therein a try by Baker's administration
 is having with the well named and others as Pet and others, the undersigned
 a commissioner in chancery of the said court to whom was referred the sta-
 tory and report of the transactions of Lucie W Baker administration with
 the well named of Richard H Baker deceased, reports to court that on the 24th
 day of March 1897 he spent notice to the said parties requiring them to
 attend the taking and reporting of the said account at his office of record
 on the 13th day of April 1897, which notice was returned to your commission-
 er acknowledged by the parties, and he thereupon states the news and has
 with returned of the transactions of the said Lucie W Baker administration
 with the well named of Richard H Baker deceased and finds that the said
 administration is indebted to the said estate on the 26th day of April 1897
 in the sum of \$228.77. The account is supported by proper vouchers and is
 herewith returned.

I have under my hand as a commissioner in chancery of the said court the
 day and year first aforesaid.

John employed to him
 For \$7.30.

Geo P. Atkinson, Clk.

1896
August 3

The Estate of Richard H Baker deceased
An account with Sarah W Baker his ~~Administratrix~~ ^{Administratrix} & A. C.

To paid for and paid on Probate of Will and qualifications as Executors.		8	86
"	paid for lot in cemetery	15	00
"	paid W J Rouse Burial Expense	83	00
"	paid for Monument	76	90
"	paid for grave stones 163 ⁵ Books 172	3	07
"	paid Bob Hall work		50
July 13	" paid H H Dech work on farm	19	00
July 15	" paid Jesse Jordan " " "	9	00
"	paid J H Kuning " " "	23	00
"	paid R R Turner Paid of Pasture	17	13
Aug 22	" paid Lee Almond for work on farm	2	80
Sept 1	" paid J H Kuning " " "	22	00
Oct 1	" paid Jesse Jager " " "	13	30
"	paid sundries for bucking horses	26	43
Nov 1	" paid Geo W Gray for work on farm	49	80
Dec 1	" paid J H Kuning " " "	33	00
"	paid Jesse Jager	12	25
"	paid Tax on Mill	2	10
"	paid repairs of black	2	00
"	paid Haver for shearing corn	6	00
"	paid expenses	4	75
"	paid R A Edwards Auctioneer	7	50
"	paid R L Cox black	7	50
"	paid W J Marshall mutual service	47	50
"	paid P Whittington for his account	76	20
"	paid Warren Gray "	16	70
"	paid J W Holloway "	6	50
"	paid Taxes	41	94
"	paid for printing	3	00
"	3 per cent commission on \$910.73	45	53
Oct 26	" Balance due the estate	228	77
		910	73

1897
October 26

1896
May 1

By sales of Melons		78	00
"	" of 1 cow \$13 1 steer 15.00 1 calf 6.50	34	50
Amount carried forward.		112	50

The lands of R.H. Baker decid-
ed by Wm S. Holmes Spec. Com
on Monday Dec. 7th 1896
as follows

Homestead	\$2725	Sallie W Baker
Hewn Tract	1525	Eddie Baker
Grist Mill	210	W.J. Seomuel
25 acre Scott	170 170	H. K. Scott.

Terms cash $\frac{1}{3}$ bal. in two equal
instalments one ~~at~~ two years for date
bonds & int for day of sale.

Bakers when I was

as

Pell & others

born Arkansas, &
shot under power of
March 1st 1898,

Filed April 15th 1898

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Existed on the western Kansas
by delivering a copy,
Apr 1st 1895.

Ro A. Edwards
Slaff

Robt. A. Edwards

de

Handwritten notes:
Robt. A. Edwards
for account
✓ April 1st 1895

Commissioner's Office

Smithfield Va March 2nd 1898

To B L Lee administrator of Sallie W Baker ^{deceased} and Wm J Hall and administrator de bono
vis non with the will annexed of Richard H Baker deceased, Plaintiffs
and to

Anna T Pitt James H Pitt George E Pitt Mary E Davis and James T Davis her hus
band, Walter B Pitt, Geo Pitt, J Mendor Pitt, Nelson Baker, Alexander Baker
and Essie M Baker Defendants,

You are hereby notified that I have fixed upon the 6th
day of April next at my said office to take and report the following enqui
ries and accounts to wit 1st What is due, if any thing from the estate of Sallie
W Baker, deceased, to Wm J Hall and administrator de bono vis non with the will
annexed of Richard H Baker, deceased, 2nd What estate, if any, belonging to Rich
ard H Baker deceased which has not been administered by the late Sallie
W Baker administrator of said Richard H Baker deceased 3rd An account
of the debts outstanding and unpaid against the estate of Sallie W Baker
deceased with their priority and dignity 4th Any matter deemed per
tinent by the commissioner or any party in interest required to be
taken by a decree of the Circuit Court of Isle of Wight County
rendered on the 1st day of March 1898 in a suit in chancery pend
ing therein in which 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 the day and year first foregoing

Wm R. Robinson

standing and unpaid, against the estate of Lullie W Baker, deceased with
their privacy and dignity, 4th my mother being a prudent by the com-
missioner or any party in interest, reports that on the 22nd day of March 1898
he issued notice against the said parties requiring them to attend the taking
of the said inquiries and accounts at his office on the 6th day of April 1898
and on the date of this report he completes the same and returns herewith the
statements of the results of said inquiries and accounts, marked A, B & C
and finds as shown by Account A that the said Lullie W Baker administratrix
of Richard H Baker deceased was indebted to the said Estate on the 3rd
day of August 1897 in the sum of \$124.⁹⁰ He finds as shown by account B.
that there is remaining of the property belonging to the said Richard H
Baker, property administered by the said Lullie W Baker his administratrix
amounting to \$95.59, and as shown by account C, he finds that the
debts and standing and unpaid against the estate of the said Lullie W
Baker deceased, amount with interest thereon to April 25th 1898 to the
sum of \$334.46, of which \$84.66 is a debt of the 1st class and the sum of
~~\$249.80~~ ^{\$130.35} is a debt of the 4th class, and \$119.45 are debts of the 5th class. Your
commissioner deeming it pertinent has at the request of B L Bess administrator
of Lullie W Baker deceased, who reports an account of his transactions marked
D and finds there is due to him by the said estate on the 1st day of December
1897 the sum of \$82.85 and it being a balance due him for funeral expenses
and physicians services in her last illness he has reported it in the account
of debts against the said Lullie W Baker as a debt of the 1st class.
Your commissioner reports that on the 16th day of April 1897, he filed under
decree of October 26th 1896, a report of the transactions of Lullie W Baker as
administratrix of Richard H Baker deceased, supposing that notice of the
taking of said account had been served on the parties, he has reported the facts as set
out in that account in this report.

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

Dec 18,

Sherrill Dec 16.

Wm R. Robinson

Amount brought forward		229 93
J W Hollaway account	1 9 30	
Interest from December 1 st 1897 to same date	37	19 87
		249 80

Wills of 1st class.

B L Bay his administrator	82 85	
Interest from Dec 1 st 1897 to same date.	1 81	84 66
		332 46

The ~~account~~ of the transactions of B L Bay administrator with the will and assets of Fannie W Baker deceased.

1897	June 7	To paid Exp on will.	1 00
		" paid for securing appraisers	1 00
		" paid for medicines	2 05
Dec	10	" paid W G Rouse Burial expenses	83 00
	14	" paid Dr R R Broughton Medical expenses	37 50
		" 5 percent commissions on \$46.	2 30
		" Balance due administrator	128 85
		By book found in the house	46 00
		" Balance due administrator	82 85
			128 85
1898	December 16	To Balance due administrator.	82 85
		" Interest to April 23 rd 1898	1 81
			84 66

Commissioners Office

Santhpitt Va April 14th 1898

To the Circuit Court of Isle of Wight County.
 Pursuant to a decree of the said court rendered on the 1st day of March 1898, in the suit in chancery pending therein styled Baker's ad administrator and others against Anna V Bell and others, the undersigned a commissioner in chancery of the said court who was required by said decree to take state and report to court the following inquires and accounts to wit what is due of anything from the estate of Fannie W Baker, deceased to Wm J Holland administrator de bonis non, with the will annexed of Richard H Baker deceased, 2nd What estate, if any, belonging to Richard H Baker deceased has not been administered by the late Fannie W Baker administrator of the said Richard H Baker deceased, 3rd An account of the debts and

1896

August

	Amount brought forward	78 00	
15	By sale of Farnham's Allotment Stock	98 00	
"	" " " 1 box \$13, 1 pair \$13.50, 1 calf \$6.50	34 50	
"	" " " Irish potatoes	5 25	
"	" " " chattel property	644 75	
"	" " " Permits	148 23	
"	" Cash of J J Thompson	36 00	
"	" " " Mrs W Thompson	6 00	
		1030 73	
3	By Balance due the Estate	124 90	

1897

August

3 By Balance due the Estate

1030 73

124 90

(B)

An account of the Estate belonging to Richard H Baker deceased, which has not been administered by the late Selma W Baker his administratrix with his will annexed.

One gold watch worth

20 00

20 00

One bond due by Selma W Baker dated March 1st 1894

60 68

Interest to April 23rd 1898

149 1

75 59

45 39

An account of the debts owed and my and my

paid against the estate of Selma W Baker deceased with their priority and dignity.

Debt of 4th class.

Balance due to administratrix of Richard H Baker, deceased

124 90

due from Aug 3rd 1897 to April 23rd 1898

5 45

Debt of 3rd class

130 35

To S. H. Adams

account

27 25

Interest from December 7th 1896 to same date

2 24

29 51

B L Boy account

65 00

To Interest from December 31st 1896 to same date.

3 07

70 07

Amount carried forward

229 93

The Estate of Richard H Baker

In account with Lillie W Baker administratrix with will annexed.

1896			
August	3	To paid fee and fees on probate of will and qualification of Administratrix	8 86
		" paid for Lot in Cemetery	15 00
		" paid W & Pouse burial expenses	83 00
		" paid for Monument	76 90
		" paid for gravestones ¹⁶⁵ Bercks ¹⁴²	3 07
		" paid Bob Hall for work	50
July	15	" paid H Deek " work on farm	19 00
		" paid Jesse Jordan " " " "	9 00
		" paid J Wherry " " " "	23 00
		" paid R R Turner Rent of pasture	17 00
Aug	22	" paid Lee Almond work on farm	2 80
Sept	1	" paid J Wherry " " "	22 00
Oct	"	" paid Jesse Joyner " " "	13 30
		" paid sundries for picking Peanuts	26 43
Nov	1	" paid Geo Wherry " work on farm	49 80
Dec	4	" paid J Wherry " " " "	33 00
		" paid Jesse Joyner " " " "	12 25
		" Tax on Will	2 10
		" paid repairs of black	2 00
		" paid Hants for shucking corn	6 00
		" paid Appraisers	4 75
		" paid R A Edwards Auctioneer	7 50
		" paid B L Cox Clerk at sale	7 50
		" paid Taxes for 1895.	42 96
1897			
March	8	" paid P H Wherry for 1896 account	76 20
		" paid Warren Gray "	16 70
		" paid J W Wherry "	6 30
	17	" paid Dr J S Marshall medical service	47 00
	23	" paid Taxes for 1896	41 94
April	10	" paid R S Thomas Band	198 04
		" 5 per cent commissions on \$1050.73 Receipts	52 53
1897			
August	3	" Balance due the estate.	124 90
			1050 73
1896			
August		By Sale of Mchans.	78 00
		Amount carried forward.	

XX
Bakers adder

m

Pitt et al.

Report of sales
April 1898 by
Wm S. Hallam

Bonds filed
with this report.

Baker's admr. et. al.

vs

Pitt et. al.

To the Hon. Robert R. Prentiss, Judge of
the Circuit Court of the County of Isle of
Wight, Virginia:-

The undersigned your Special
Commissioner begs leave to report to
Court that pursuant to a decree entered
in this cause on the 26th day of October
1896 he sold at public auction
to the highest bidder on the terms
in said decree mentioned, after first
having advertised as directed the
lands in the bill and proceedings
mentioned, in separate tracts or parcels,
and the purchasers herein reported
were the highest bidders for
the several tracts, to wit:

No 1	Sallie W. Baker "Home tract" for	\$ 2725.00
No 3	the Eddie M. Baker 273 acres "Hem tract"	1525.00
No 2	A. N. Scott, "Scott tract"	170.00
No	A. W. Clark "Wrist Mill"	210.00
	Total sales of land	\$4630.00

These sales bear interest from day of sale
except the mill tract which bears interest
from the first day of January 1897 the
day it was sold and the other tracts from
December 7th 1896, the day they were
sold. Your commissioner files herewith

one copy of the printed notices of sale.

And your commissioner reports that A. N. Scott and A. W. Clarke have complied with the terms of said sale by making cash payment and executing their bonds with surety deemed good which one herewith filed, that said Sallie W. Baker the widow of R. H. Baker gave no bond, paid no money but said she desired to pay all cash as soon as the sale could be confirmed, and she being the largest devisee and legatee under the will of said testator R. H. Baker deceased, and knowing^{ing} her purchase was safe, allowed her to take possession of the land which she did. Before the sale could be confirmed the said Sallie W. Baker departed this life, having first made and published her last will and testament, with B. L. Cox as her admin. et al.

Further for Eddie M. Baker complied at all. Under the will of said R. H. Baker he is to have what said tract of land sells for, and your commissioner knowing he wanted him to pay nothing,

except perhaps, his pro rata share of
the costs of ^{suit &} sale allowed his
purchase to stand. The said Eddie
M. Baker has requested that his
wife be put down as the purchaser
instead of himself, which your com-
missioners promised to do provided
this court would give its assent.
Eddie M. Baker was the last and
highest bidder and it was after the
day of sale when he requested your
commissioners to put down his wife as
the purchaser.

Your commissioner says there
has been no complaint by any one so
far as he has heard in reference
to the sale of any of said land except the
sale to Eddie M. Baker. Mr. Calvin Baker
claims that said land sold for at least
one thousand dollars more than it was
worth, and that the bidding was done
by said Eddie M. Baker and another
young man who owns no property. Mr.
Calvin Baker charged that it was a fraud
in the interest of Mrs Sallie W. Baker.
Mrs Sallie W. Baker was informed of the
charge but most positively denied any
knowledge of any arrangement or conspir-
acy to make the land sell for
more than it was worth. Mr. Baker

insisted he could prove to the satisfaction of the court or the court that

- (1) That the fair value of the land was not more than five hundred dollars.
- (2) The parties who did the bidding were not pecuniarily responsible and owned no property except the legacy left Eddie M. Baker by his nephew R.H. Baker dec'd.
- (3) But admitted he had no evidence to connect Mrs. Ballie W. Baker with the transaction except that she was interested.

Your commissioner has no knowledge of any fraud or other wrong, and, so far as he knew at the time ~~of~~ the sale was fair and he knows nothing to the contrary now except what Mr. Calvin Baker has said as above reported. Your commissioner feels it was his duty to report this contention or contrary to the court.

Your commissioner recommends a confirmation of the sales made.

Respectfully Submitted
Wm S. Hall and Spec. Comr.

FARM LANDS FOR SALE AT AUCTION!

Pursuant to a decree in the cause of Baker's administratrix, c. t. a., vs. Pitt et als, I shall offer for sale at public auction, at Isle of Wight county, Virginia,

On Monday, December 7, 1896,

(It being court day), the following real estate:

1. All that valuable tract of land, about two miles from Smithfield, Va., on which R. H. Baker lived and died, containing 155 acres, and bounded by the lands of R. T. Goodson, N. P. Jones, B. L. Cox and others. This is a splendid farm, has on it first-class buildings, and there is a two-horse crop of arable land in a high state of cultivation.

2. A tract known as "The Scott Tract," containing 25 acres, and adjoining the lands of J. R. Scott's estate, H. Delk, Mrs. A. Ellis et als. This is a good one-horse farm.

3. A tract known as "The Hearn Tract," containing 373 acres, and adjoining the lands of J. W. Stallings, William Bailey, James White and others. This farm has about twenty-five acres arable and the residue in wood-lands.

4. A first-class Grist Mill in running order, with two acres of land, on which the mill-house and the miller's house stand. This property lies inside Surry county, about one and one-half miles from Fergusson's Wharf, on James river.

It is believed that the area of the above land is even greater than that named, but all sales and conveyances will be made in gross and not by the acre.

~~Parties~~ Parties wanting a good farm or willing to make a good investment are invited to examine the property before day of sale.

—*TERMS*

One-third cash, the rest in two equal instalments of one and two years from date of sale. Purchaser to give bonds and good personal security, with interest from day of sale, for deferred payments. Privilege given purchaser at his election to pay all cash.

WM. S. HOLLAND, Special Commissioner.

NOVEMBER 10, 1896.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight—R. H. Baker's administratrix, c. t. a., &c., plaintiff, against Pitt et als, defendants.

I, N. F. Young, Clerk of the said Court, do certify that the bond required of the special commissioner by the decree rendered in said cause on the 26th day of October, 1896, has been duly given.

Given under my hand, as Clerk of the said court, this 2d day of November, 1896.

N. F. YOUNG, Clerk.

507.51 J. O. Baker
 700.00 J. O. Baker
 2305.00
 3512.50
 3575.00
 W. W. Gray-

IN THE
 COURT OF THE
 COMMONS OF THE
 COUNTY OF MIDDLESEX
 IN THE MATTER OF
 THE ESTATE OF
 J. O. BAKER
 DECEASED
 THE PLAINTIFF
 V.
 THE DEFENDANT

IN THE MATTER OF
 THE ESTATE OF
 J. O. BAKER
 DECEASED
 THE PLAINTIFF
 V.
 THE DEFENDANT

RECEIVED
 OF THE
 COURT OF THE
 COMMONS OF THE
 COUNTY OF MIDDLESEX
 IN THE MATTER OF
 THE ESTATE OF
 J. O. BAKER
 DECEASED
 THE PLAINTIFF
 V.
 THE DEFENDANT

RECEIVED
 OF THE
 COURT OF THE
 COMMONS OF THE
 COUNTY OF MIDDLESEX
 IN THE MATTER OF
 THE ESTATE OF
 J. O. BAKER
 DECEASED
 THE PLAINTIFF
 V.
 THE DEFENDANT

Bahia Administration Table

1
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32

All and others
Commissioners
Police

Expense of the
Latin May, 21st
1898.
Re. A. Edwards
Staff

Commissioner's Office

Smithfield Va May 30th 1898.

To R L Long administrator of Pella W Baker deceased and W^m J Holland
administrator de bonis non with the will annexed of Richard H
Baker deceased Plaintiffs
and to

Anna V Pitt, James H Pitt, George E Pitt Mary E Davis and James S
Davis her husband, Walter R Pitt, D H Pitt, J Meador Pitt, Calvin
Baker, Alexander Baker and Eddie W Baker, Defendants

Take notice that I have fixed upon the 23rd day of May
1898 at my said office to enquire and report whether or not the bid
ding for the Heaton Trust of land was bona fide or for the pur
pose of giving Mrs Pella W Baker an unjust advantage in the dis
tribution arising from the sale of the property and to report any
written deemed pertinent, required to be made by a decree of the
lowest court of Isle of Wight county rendered on 25th day of April
1898 in a suit in chancery pending in the said court between you
as plaintiffs 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 foregoing.

W R Atkinson

Please Post

AUCTION SALE

—OF A—

Valuable Tract of Land!

Pursuant to a decree of the Circuit Court of Isle of Wight county in the cause of Baker's administrator vs. Pitt and others, entered on the second day of November, 1898, I shall,

ON MONDAY, FEBRUARY 6, 1899,

(that being court day), sell at public auction to the highest bidder the tract of land in the bill and proceedings mentioned, known as THE HEARN TRACT, containing 373 acres, more or less, and adjoining the land of J. W. Stallings, William Bailey, James White and others.

TERMS.—One-third cash, the rest in one and two years from date of sale, the purchaser to give bond and good personal security, with interest from date of sale, for the deferred payments.

WILLIAM S. HOLLAND,

SPECIAL COMMISSIONER.

JANUARY 25, 1899.

X
Baker, s. adm. et. als.

25

Pitt et. als.

Report of Second Hole
Heron Tract March
7th 1899.

Baker's administrators

vs.

Pitt and others.

The undersigned your Special Commissioner begs to report that pursuant to a decree herein entered on the second day of November 1898 he advertized as required, and offered for sale at the February (1899) term of the County Court the tract of land known as the "Hearne Tract" containing 373 acres, more or less, and on account of very bad weather there were but a very few people present and the sale was adjourned over for want of bidders till the March (1899) term of the said County Court of said county, and on that day was offered again, at which sale Eddie M. Baker, again became the highest and last bidder at the price and sum of \$600. instead of \$1525. as at the former sale. All parties interested had some representative on hand and seemed to be satisfied. Your commissioner recommends the confirmation of the sale.

Respectfully Submitted.

Wm S. Holland, Spe. Comr.

Washed hair at 12.

at 12. Washed.

Washed at 12.

One Alaskan's name - Wash

Washed at 12. Washed.

Filed October 24th 1898

Baker's Adm.

vs. In the Circuit Court of the County of Isle of Wight.

Pitt et al

Commissioners Office, Smithfield, Oct 20th 1898.

Pursuant to a decree of said court entered in said
suit on the 28th day of April 1898, the undersigned, one of the
Commissioners in Chancery of the said Court, was directed by
the said decree to enquire and report, "whether or not the bid-
ding for the Neame tract of land, was bona fide....., or for
the purpose of giving Mrs Sallie W. Baker an unjust advantage
in the distribution arising from the sale of the said prop-
erty, and to report any matter deemed pertinent", reports to court,
that after giving due notice of the time and place of making
and stating said enquiry, which notices were duly served upon
the said parties, and answers thereto returned, he proceeded to take
the depositions of witnesses touching the said enquiry, which
depositions are herewith returned, and finds therefrom, and re-
ports that, the fair value of the said land is \$450.00. That
the price at which it sold, to wit, \$1525.00, was largely in ex-
cess of its real value, but there is no evidence tending to
show any collusion between Mrs Sallie W. Baker and the purchas-
er, or the bidders on the said land; nor was any evidence in-
troduced before your said commissioner to show that the said
bidding was not bona fide, or that it was for a fraudulent pur-
pose, or for the purpose of giving the said Sallie W. Baker an
unjust advantage in the distribution arising from the sale of
the property of the said R. W. Baker. All of which is respect-
fully submitted.

Given under my hand as Commissioner aforesaid, the 20th and year
aforesaid.

.....*Chas R. Atkinson*..... Commissioner.

Time Im-
plied.

3rd 11/11/00
Dec 24

Chas R. Atkinson

\$9.50

Virginia :

In the Clerk's Office of the Corporation of the City of Norfolk, on the 15th
day of May, 1899.

I, L. ROYSTER, Clerk of the said Court, do hereby certify that it appears from the Records of the
said Court on file in this office, that Sallie B James

duly qualified on this 15th day of May, 1899, in said Court as the
Guardian of the Estate of Lloyd Stanhope James, Harry
Orvil James, Berencia Joy James and Alice
Leobora James

That she executed and acknowledged a bond as prescribed by law in the penalty of
\$ 3000⁰⁰, with Claudian S James
as surety.

and that the said bond was duly recorded.

Given under my hand the day and year first above written.

L. ROYSTER, c. c.

By

D. C.

Baker & Pitt

Receipts

due A. F. Jones ^{\$} 1.77

Mrs L. Jones.
436 Bute St
M. J. J.

A. Baker Abney

W. S. Hooper &
attys.

700

1

Accepted 2nd 1896
Mrs. Sallie W. Baker ~~Chas. D.~~ ~~W. H. Baker~~ accd.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing writ on Mary E. Davis J. F. Davis
Calvin Baker & Ed. W. Baker 900

April 10th 97 Received payment.

R. A. Edwards Sheriff

R. H. Baker & Co.

7.50

2

2

No R H Baker, Adm^r ~~Adm^r~~ Oct 12th 1896
Dr. Holland W & Son,

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing Court? Heister Mary E Davis J T Davis
Calvin Baker Esq, Wm, Baker & Sallie H, Baker

4-10-97 Received payment. R A Edwards Esq 2.50

W. H. Baker & Co.

7.00

W

Sept 24th 1896
M R H Bakers of West Dr. Hallowell W. Sweeney

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing Notice for Introducing Deeds, in Henry E. Baker
for Robert Calvin Baker, & Ed Mc Baker 7.00

4-10-97 Received payment. R. A. Edwards Sheriff

W S Holland

Adm,

4 Dec

Recd. Dec. 15th 1898
of Wm S. Holland.
Spe. Corr. in suit of
Baker et al vs Pitt
et. al. the sum of
nineteen (19) dollars
and twenty cents for
in said suit as
per these bills

Robt. A. Edwards

Exch

Paid me 106.13

19.20

125.33

Left Clerk Paid 4.33

\$121.00

Mar 1898
M W S Hollace adven of Dr. R A Baker accd.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing Court Notice re A. W. Pitt, J. H. Pitt, S. E. Pitt, M. E.
Davis, J. H. Davis, L. P. Pitt, D. H. Pitt, J. M. Pitt, C. Baker
E. M. Baker P. L. Corp adven of M W S Hollace adven
600

Received payment.

W. S. Hallard
Adm

170

5

M C Baker chas.

May 4 8th 1898

Dr.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing *Spa on R. W. Stallings* *W Stallings U.S.*

Halliday, & J N White & Co

80

To Ex Spa on B P Chapman & Chas. Wells

40

120

Received payment.

W S Hoell ~~_____~~
Adm.

Geo

6

July 10

1898

M W S Holland adum, of R H Baker acal

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing Crr. Notice on A. V. Chance J. H. Pitt & E. Pitt
Mr E. Davis J. S. Davis D. U. Pitt J. M. Pitt W. B. Pitt Calvin
Baker Ed. M. Baker R. L. Cory adum, & W. S. Holland, adum, 6.00

Received payment.

W. S. Maclean & Co.

600

7

May 23rd 1898
Mr W S Hollace ad^{ver} of R A Edwards

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing ~~Charles~~ on A. V. Chance J. Pitt G E Pitt M E
Haves ^{and} J Haves W B Pitt D W Pitt J M Pitt C Parker
E W Parker, B L Coy ad^{ver}? & W S Hollace ad^{ver} 6.00

Received payment.

A. H. Parker a few years

200

W. S. Hammond ally

to May

8

Sept 1st 1898

Mr A H Baker assignee Re Dr W S Holland atty

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing	With or Joel P Holland & Sachin M Holland	1.00
15	" Notice in same for delinquent there	1.00
		<u>2.00</u>

Nov 1799 Received payment. R. A. Edwards Clk

m. J. Holland

\$ 2.50

6

Mar. 6 1897

M^r. W. F. Holland Comm. Dr.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing & selling Ed. M. Bakus land \$ 2. 50
on

3/21/1900 Received payment.

R. A. Edwards Sup.

10

Mr. R. Atkinson

Pay W. H. Doyle,
Cashier, or Order

THE BANK OF SMITHFIELD,
A. S. BARRETT, Cashier.

Pay Farmers Bank of Nansemond,
or ORDER, SUFFOLK, VA.,
CITIZENS BANK OF NORFOLK, VA.,
Walter H. Doyle, Cashier.

Nº 1540

SUFFOLK, VA. Sept. 20th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Geo. R. Atkins on

Forty two & no/100

Fees in Baker & Co Bill et al

\$ 42 $\frac{27}{100}$

YOUNG & SELDEN, BALTO

SEP 26 1899
Farmers Bank of Nansmond



Dollars

Wm S. Halland.

THE NEW YORK PUBLIC LIBRARY

ASTOR LENOX TILDEN FOUNDATION

155 E. 42ND STREET, NEW YORK 17, N.Y.

NEW YORK PUBLIC LIBRARY

ASTOR LENOX TILDEN FOUNDATION

155 E. 42ND STREET

NEW YORK 17, N.Y.

155 E. 42ND STREET

NEW YORK 17, N.Y.

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of the county of Isle of Wight, this 8th day of August, 1896:

Sallie W. Baker, administratrix, with the will annexed, of R. H. Baker, deceased, and in her own right,

AGAINST

Anna V. Pitt, Alexander Baker and others.

IN CHANCERY.

The object of this suit is to construe the will of R. H. Baker, deceased, to administer his estate, and to sell the lands of the said testator and all other things necessary to a complete settlement of the said estate. And affidavit having been made that one of the said defendants, namely, Alexander Baker, is not a resident of this State, the said defendant, Alexander Baker, is required to appear within fifteen days after due publication of this order, in the Clerk's office of our said court, at rules to be holden therefor, and do what is necessary to protect his interest.

And it is ordered that a copy of this order be forthwith published once a week for four successive weeks in the SUFFOLK HERALD, a newspaper printed in the town of Suffolk, Va., and be posted at the front door of the Courthouse of the said county, on the first day of the next County Court for the said county after the date of this order.

A copy—Teste:

N. F. YOUNG, Clerk.

WM. S. HOLLAND, p. q.

au14-4w

Suffolk, Va., Dec 31

Mr W S Hollans - P. 9 - Dr

TO SUFFOLK HERALD

Newspaper, Book AND Job Printing Establishment

J. E. BOOKER, Proprietor.

TERMS CASH.

No. 9 WASHINGTON SQUARE

1896

Aug 14	20 Pub Order attached				
	3 1/2 in 4 weeks				\$ 6.00
Nov 10	Printing 100 Pieces - Value of Sale				
	RH Baker Land				1.25
	Recd Payment				\$ 7.25
	J. E. Booker				

12

 Ten per cent. will be Charged on all Collections Under \$100 Unless Special Agreement is Made Otherwise.

Suffolk, Va. Nov 28, 1896

Mr W S Hollan ~~Attor~~

TO A. H. BAKER

SHERIFF OF NANSEMOND COUNTY.

Baker Adm. vs. Pate & others

In 4 com notes

3 00

Received payment
A H Baker
Sheriff

12 X

2000

2000

Suffolk, Va Sept 2, 1894

Mr W S Holloman Esq Dr

TO A. M. BAKER

SHERIFF OF NANSEMOND COUNTY.

Baker admr vs. Pitt et al

In the Provinces of
the State of Virginia

200
300
500

Received payment of W S Holloman
A M Baker
Sheriff

Cardwell Va.

Jan. 1st, 1897

Mr. W. S. Holland

Dear Sir:

Please find in closed	
Tax Receipt for back taxes	
and redemption fee.	3.97
Draft of R. S. Turner	
Treasurer of Goochland Co.	
on Wingo Ellett & Co.	25.00
Check endorsed by	
R. S. Turner	15.34
Currency	25.69
	\$ 70.00

Please return tax receipt
with my receipt and
the Bond
Yrs. truly

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
←OF→
W. S. MOLLAND.

Windsor Station, Va., Jan. 3rd. 1898.

Mr. A. W. Clark,

Dear Sir,

Your letter containing checks, a tax receipt and some money amounting in all to \$70.00 came to-day. Then I wrote you some days ago I told you the bond was due Jan. 1st. 1898 I did not have the papers before me. I now find on examining the papers that your bond was due Dec. 7th 1897. It was made Dec. 7th 1896 and was payable one year after date with interest from date. You will have to send me the interest which is four dollars and twenty cents for one year you know. If you were delayed in sending the money on account of my writing you January 1st. I will not claim any interest for the 33 days. One of your bonds is one year after date and the other two but both bear legal interest from DATE, Dec. 7th 1896. If the checks are paid, as I have no doubt they will be, and you send me \$4.20 more to cover the interest I will send you your bond. I thank you very much for your promptness in this matter.

Yours Very Truly,

W. S. Molland

July 1st 1889. By Cash interest to date R. S. Thomas
 January 1st 1890 By Cash interest to date R. S. Thomas
 July 1st 1890 By Cash interest to date R. S. Thomas
 January 1st 1891 By Cash interest to date R. S. Thomas
 July 1st 1891 Received interest to date R. S. Thomas
 January 1st 1892 Received interest to date R. S. Thomas
 July 1st 1892 Received interest to date R. S. Thomas
 January 1st 1893 Received interest to date R. S. Thomas
 July 1st 1893 Received interest to date R. S. Thomas
 January 1st 1894 Received interest to date R. S. Thomas. Paid by R. S. Thomas
 July 1st 1894 Received interest to date R. S. Thomas
 January 1st 1895 Received interest to date R. S. Thomas
 July 1st 1895 Received interest to date R. S. Thomas
 January 1st 1896 Received interest to date R. S. Thomas
 July 1st 1896 Received interest to date R. S. T.

R. Baker 11-11
 To 3 18621
 R. S. Thomas

Paid in full
 One Hundred and
 thirty five 04/100
 R. S. Thomas
 April 17 1897

On demand we promise and oblige
ourselves to pay to R. S. Thomas the
paid and present sum of One Hundred
and Eighty Six dollars and twenty
cents, and we promise and oblige
ourselves to pay interest ^{from date} on the sum
on the first-day of July, and on the first-
day of January of each and of every
year, whilst the sum may be due
and unpaid. And we waive the ben-
efit of our homestead Exemption
as to this debt. Witness our hand
and seal this 4th day of January A.D.
1889

R. S. Baker (Seal)
Calvin Baker (Seal)
J. Jones (Seal)

Know all men by these presents that we
herby authorize and empower N. F. Bunn
to confess judgment on the above note
against us and we for that purpose
nominate and constitute him our
agent, and attorney in fact. And we give
him all power for this purpose, and we
ratify and confirm whatever he may do in
the premises. Witness our hand & seal this
4th day of January A.D. 1889.

R. S. Baker (Seal)
Calvin Baker (Seal)
J. Jones (Seal)

Exhibit
A

EXHIBIT A
JAN 1 1900
JAN 1 1900

CLERK'S OFFICE
ISLE OF WIGHT COUNTY, VA.

N. F. YOUNG, CLERK.

ISLE OF WIGHT C. H., VA.,

April 9th 1898

I hereby certify that E. M. Baker has no land assessed to him on the Land Books of this county, and that the said E. M. Baker has Forty Seven Dollars (\$47.00) assessed to him on the property book of the said county. Lee Barclay has no property listed to him.

Teste N. F. Young cl.

R. H. Baker's net sales \$644.75

E M Baker is not charged with
any fault - Sunny A.

A. P. Edwards.

Chas Sunny A. (Lamb)

Exhibit
B

CLERK'S OFFICE

Surry County, Virginia,

April 8 1898.

Lee Barlow is charged in the
Commissioner's books in Surry
County for 1897. with

1 Horse	10.00
1 Car	5.00
5 Hogs	5.00
2 Vehicles	15.00
Farming implements	3.00
1 Clock	1.00
1 Sewing Machine	5.00
House furniture	10.00
	\$54.00

He is not charged with any land -

E. M. Barlow is charged in said
books for 1896. (not in books for 1897) with

1 Horse	40.00
18 Hogs -	18.00
1 Vehicle	9.00
House furniture	20.00
1 Gun.	2.00
	\$89.00

\$40.48 on demand I promise
to pay R H Baker sixty dollars
& sixty eight if for value
Received such I was all
hours steady as to the
best ~~30~~ thirty dollars of the
debt is now here \$30.48 is
more faith trust one
can't kill by R H Baker
given me my half of
Calvin Baker seal
March the 1 1894

CLERK'S OFFICE
ISLE OF WIGHT COUNTY, VA.

N. F. YOUNG, CLERK.

ISLE OF WIGHT C. H., VA.

June 1st 1898

I hereby certify that there is on the Land Book of this County for year 1890 standing in the name of Rich^d N. Baker 373 acres of land valued at \$932.00

I further certify that this is on the Land Book of said County for the year 1895 standing in the name of R. N. Baker 373 acres of land valued at \$932.00.

Teste N. F. Young cc.

11

VIRGINIA—IN THE CLERK'S OFFICE of the Circuit Court of the county of Isle of Wight, this 8th day of August, 1896:

Sallie W. Baker, administratrix, with the will annexed, of R. H. Baker, deceased, and in her own right,

AGAINST

Anna V. Pitt, Alexander Baker and others.

.. IN CHANCERY.

The object of this suit is to construe the will of R. H. Baker, deceased, to administer his estate, and to sell the lands of the said testator and all other things necessary to a complete settlement of the said estate. And affidavit having been made that one of the said defendants, namely, Alexander Baker, is not a resident of this State, the said defendant, Alexander Baker, is required to appear within fifteen days after due publication of this order, in the Clerk's office of our said court, at rules to be holden therefor, and do what is necessary to protect his interest.

And it is ordered that a copy of this order be forthwith published once a week for four successive weeks in the SUFFOLK HERALD, a newspaper printed in the town of Suffolk, Va., and be posted at the front door of the Courthouse of the said county, on the first day of the next County Court for the said county after the date of this order.

A copy—Teste:

N. F. YOUNG, Clerk.

WM. S. HOLLAND, p. q. aul4-4w

Office of The Herald.

Suffolk, Va., Oct 2 1896

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law==once a week for four successive weeks.

John B. Cooke
Editor Herald.

#6⁰⁰ Charges

Exercuted this 17th day of Sept. 1876 by
Gavin a true Copy of the within Notice on
Annie O Pitt James R Pitt George & Pitt Master B Pitt
D W Pitt J Meadow Pitt in person

R. E. Noyland Defor
For Att Baker Shiff

Notice is hereby given that on the 25th day of Sept. 1876 at the
Office of Hon. Robert B. Prentiss in the town of Whitcomb, I shall apply to
him, the said R. B. Prentiss Judge of the Cir. Court of said county
for an ex parte license for myself and my wife to the said of
Baker, Adams, &c. &c. vs Pitt et al in which I am Plaintiff and you are
defendants.

Respectfully

Salute W. Baker whom. c. t. s. of
S. H. Baker deceased by

Her attorney.

To Anna V.Pitt; James H.Pitt: Geo.E.Pitt: Mary E.Davis who was Pitt, and James T.Davis her husband; Walter B.Pitt, D.Urquhart Pitt; J.Meador Pitt; Calvin Baker; Alexander Baker and Eddie M. Baker sometimes called Eddie Baker:

Please take notice that on the 26th day of Sept. 1896 at the office of Hon. Robert R.Prentis in the town of Suffolk, I shall apply to him, the said R.R.Prentis Judge of the Cir. Court of Isle of Wight county for an interlocutory decree for enquiries and accounts in the suit of Baker,s Admx. c.t.a. vs Pitt et als in which I am plaintiff and you are defXndants.

Respectfully

Sallie W. Baker admx. c. t.a of
R.H.Baker deceased by

Wm S. Hall and

Her attorney.

PD for by W. S. Hall

State tax asonther	1.46
Co. Tax. 1891	1.38
10% int. 47 to 8 mo.	.63
Redemption fee	.50
	\$ 3.97

Paid Dec 7 1897. by W.
a. Clarke.

A. S. Edwards
Clatsop & S. Co. County

CLERK'S RECEIPT.

No. 16

DELINQUENT LANDS.

Name of owner..... *Richard Baker*Quantity and description..... *2 a. mill. adj. Nelson*Years..... *1891* Tax, \$..... *1.46*Principal, - - - - - \$..... *1.00*Interest, - - - - - \$..... *.46*When paid clerk..... *Dec 7. 1897*By whom..... *A. W. Clume*Received (date)..... *Dec 7. 1897*..... *A. P. Edwards* Clerk.

Mr. *William S. Holland*, *Comm Baker, V.S.; Pitt*
Windsor District. No. _____

1899.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 50c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 5c. on \$100.	TOTAL TAX.
To _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
Personal Property, value \$ <i>2000</i>	<i>600</i>	<i>200</i>	<i>10 00</i>	<i>1 00</i>	<i>1 00</i>	<i>1 00</i>	
Capitation Taxes _____	<i>1 00</i>		<i>50</i>				
Income _____ \$ _____							
Total _____							<i>21 00</i>
5 per cent. additional _____							<i>1 05</i>
Total _____							<i>\$22.05</i>

Received payment _____ day of _____

27 March 90!

J. W. Roberts

Treasurer.

Per _____

R. W. Baker
 Mr. *W. S. Holland* Admr of, Windsor District,

No. _____

1898.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 40c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 5c. on \$100.	TOTAL TAX.
To _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" Personal Property, value \$ <i>110</i>	<i>33</i>	<i>11</i>	<i>37</i>	<i>05</i>	<i>05</i>	<i>05</i>	
" Capitation Taxes _____	1.00		50				
" Income _____ \$ _____							
Total _____							<i>0 96</i>
5 per cent. additional _____							<i>5-</i>
Total _____							<i>\$ 1.01</i>

Received payment *8* day of *April* 189*9*

Treasurer,
 Per *W. V. Persons, Depy*

Baker Adms vs. Pitt & Others.

Mr. *W. S. Holland Comr.*, Windsor District, No. _____

1898. To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 40c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 5c. on \$100.		TOTAL TAX.
To _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" Personal Property, value \$ <i>2,000</i>	<i>6</i>	<i>00</i>	<i>2</i>	<i>00</i>	<i>6</i>	<i>67</i>	<i>1</i>	<i>00</i>	<i>1</i>	<i>00</i>	<i>1</i>	<i>00</i>	
" Capitation Taxes _____	<i>1</i>	<i>00</i>				<i>50</i>							
" Income _____ \$ _____													
Total _____													<i>17 67</i>
5 per cent. additional _____													<i>98</i>
Total _____													<i>\$ 18.55-</i>

Received payment *8* day of *April* 189*9*

Treasurer,
Per *J. H. Persons, Depr*

Mrs *Sallie W Baker* *Adm* *See B. L. B. ar*
 _____, Hardy District. No. _____

1897.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 40c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 5c. on \$100.		TOTAL TAX.
To _____ acres Land, value \$													
" _____ acres Land, value \$													
" _____ acres Land, value \$													
" _____ acres Land, value \$													
" Personal Property, value \$ <i>648</i>		<i>193</i>		<i>64</i>	<i>2</i>	<i>87</i>		<i>32</i>		<i>32</i>		<i>32</i>	
" Capitation Taxes _____		<i>100</i>				<i>50</i>							
" Income _____ \$													
Total _____													<i>\$6.10</i>
5 per cent. additional _____													<i>31</i>
Total _____													<i>\$6.41</i>

Received payment *27* day of *aug* 189*8* _____ Treasurer,

Per *H. V. Persons* *Dr. T.*

Mr. *H. S. Holland* *Baker vs Pitt*
_____, Windsor District. No. _____

1897.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.		State School Tax, 10c. on \$100.		County Levy, 40c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 5c. on \$100.		County Road Tax, 5c. on \$100.		TOTAL TAX.
To _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" _____ acres Land, value \$ _____													
" Personal Property, value \$ <i>2865</i>	<i>8</i>	<i>67</i>	<i>2</i>	<i>86</i>	<i>11</i>	<i>43</i>	<i>1</i>	<i>43</i>	<i>1</i>	<i>43</i>	<i>1</i>	<i>43</i>	
" Capitation Taxes _____	<i>1 00</i>				<i>50</i>								
" Income _____ \$ _____													
Total _____													<i>\$27.23</i>
5 per cent. additional _____													<i>1.36</i>
Total _____													<i>\$28.61</i>

Received payment *11* day of *June* 189 *8*

Per *H. V. Persons* *Dep* Treasurer,

15-

I paid this to Mr B. L.
Cox Adv. & he paid
me \$2.25 for $\frac{1}{2}$
interest in an old
pear tree planter.

Mr. Rich Baker, Isle of Wight Co.

1896.

To A. P. BOHANNAN, Treasurer of Surry County, Dr.

No. 30	State Revenue, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 35c. on \$100.	Road Tax, 15c. on \$100.	SCHOOL TAXES.		TOTAL TAXES.	
					County 10c. on \$100.	District 10c. on \$100.		
To 2 Acres of Land, value \$200.	60	20	70	30	20	20	220	
" Acres of Land, value \$								
" Acres of Land, value \$								
" Property, value \$								
" Poll Taxes,								
" Income, taxed at one per cent,								
Total,								
5 per cent. additional,								
Clerk's Fees,								
								231

Received Payment,

A. P. Bohannon

Treasurer.

17

Rec'd. 1899 of Wm S. Hall and
Special Commissioner in the suit of
Baker & C. vs Pitt et al. the sum
of two thousand one hundred and twenty-
nine (2129) dollars and sixty two (62)
cents, it being due me and my co-wards
as devisees and legatees under the
will of Sallie W. Baker deceased
who was a legatee under the
will of R. H. Baker dec'd. This
money is from the estate of R. H. Baker
deceased

Sallie C. James
Sallie C. James Guardian for
Lloyd S. James
Harry A. H. James
Berencia T. James
Alice L. James.

Copy of the order
of the court must
show penalty of perjury
and name of penitents.
W. S. H. K. B. Mrs Jones must sign the above
receipt in her own name
and then as guardian for her
children. If some other person
is guardian that person must
sign with her. A certified copy of
the order of the court appointing the guardian
must come with the receipt. W. S. H.

Receipt. of
Calvin Baker
\$

81

Rec'd. Aug. 7th 1899 of Wm. S. Hall and Sp.
Cmrs. in suit of Baker v Baker's adm. et al.,
the sum of four hundred & eighty (480)
dollars ^{and 28 cents} bal. in full due me from
the estate of R.H. Baker dec'd. real & per-
sonal estate.

Calvin Baker

19

R. S. Thomas

assigned
Rev. E. Pitt

Pay W. H. JONES Jr., Cashier,
THE NORFOLK NATIONAL BA

NORFOLK, VA.

A. B. SCHWARZKOPF, Cashier

PAY TO THE ORDER OF
NORFOLK NATIONAL BANK.

TH. SMITHFIELD
A. S. DARNETT, Cashier

No. 15-88

SUFFOLK, VA. Nov. 15th

1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF R. S. Thomas assignee of Geo. W. Pitt

one hundred & one & 77/100

Dollars

In full of the share of the est. of R. H. Bolter decd. & heirs to
Wm S. Hall and the. curr. on all sources

\$ 101 ⁷⁷/₁₀₀

Wm S. Hall and

Anna, C. Channell.
E. H. Channell

20



N^o. 1640

SUFFOLK, VA. Decem 20th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF

Anna J Pittman Anna J Churn

One hundred and One 77/100 Dollars

In full of the interest in the estate, real and personal, of K H Baker deceased

\$ 101 ⁷⁷/₁₀₀

W. S. Holland



22

Mary E Davis
who was Pitt
L. Johnson

N^o. 1582

SUFFOLK, VA. November 9th 1899

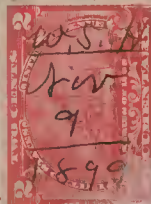
THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Mary E. Davis who was Pitt
one hundred and one and 71/100 Dollars

It being Balance due from R.H. Balch's estate

\$ 101 $\frac{71}{100}$

Wm S. Halland



23

PAY TO THE ORDER OF
NORFOLK NATL. BANK,
CORPORATE TRUST
THE BANK OF SMITH & CO.,
AND WARRETT, CARRIERS

J. W. H. Jones Jr.
assignee of C. B. Hodwin
was assignee of C. B. Hodwin

Pay W. H. JONES Jr., Cashier
THE NORFOLK NATIONAL BANK
NORFOLK, VA.
A. B. SCHWABERGER, Cashier

No. 15-81

SUFFOLK, VA.

Nov. 9th

1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF J. W. Holloway & Co assignee of C. B. Godwin who
was assignee of W. B. Pitt

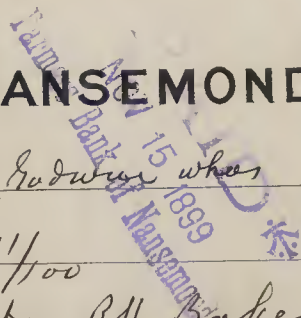
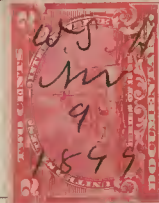
one hundred and one and 71/100

Dollars

Balance in full of what is due W. B. Pitt from R. H. Baker's estate

\$ 101. $\frac{71}{100}$

Wm S. Hall and



-24-

C B Godwin Assignee

DW Put

Fay Farmers Bank of Nansemond
SUFFOLK, VA.
OR ORDER,
CITIZENS BANK OF NORFOLK
Waller H. Dorr

No. 15-02



SUFFOLK, VA. Aug. 5th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF W.B. Rodwin assigned to D.H. Pitt

Eighty four & 50/100

Dollars

Bal. in full of the entire interest of D.H. Pitt in
the estate of R.H. Baker decd.

\$ 84. $\frac{50}{100}$

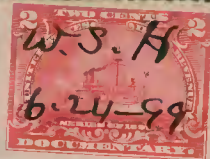
Wm S. Halland

Nis
Jack + Whithead
milk
Witms
C.C. Chennell

23-

21

N^o. 145-9



SUFFOLK, VA. June 24th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Mr. Jack Whitehead assignee of J. Meadows & J. H. Pitt.

One hundred and ninety five & 20/100 Dollars

In full of share of said Pitts (less an fee agreed on to that deducted) in money in my hands as the Comm. in trust of Baker & Pitt et al.

\$ 195.00

Wm S. Hall and

Baker's adum et. al.

P.S.

Pitt et. al.

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

filed by love of
Court April 22nd
1901.

Paid	Robt. A. Edwards Sheriff,	Voucher #1	✓	2.50
"	" " " "	" 2	✓	2.50
"	" " " "	" 3	✓	2.00
"	" " " "	" 4	✓	6.00
"	" " " "	" 5	✓	1.12
"	" " " "	" 6	✓	6.00
"	" " " "	" 7	✓	6.00
"	" " " Crier	" 8	✓	2.00
"	" " " "	" 9	✓	2.50
"	A. R. Whitehead, Crier	"	✓	15.00
"	Geo. R. Atkinson Com'r	" 10	✓	42.00
"	" " " "	"		
"	Suffolk Herald	" 11	✓	7.25
"	A. H. Baker Sheriff	" 12	✓	3.00
"	" " " "	" 12X	✓	6.00
"	H. F. Young,	" 14	✓	41.02
"	Wm. S. Holland, writ tax		✓	1.50
"	" " " fee decree of March 22, 99		✓	100.00
"	" " " fee collected I. N. Jones		✓	25.00
"	" " " drawing 4 deeds		✓	40.00
"	" " " stamps on deeds		✓	5.00
"	" " " com. on \$4401.13		✓	97.02
"	Taxes	voucher 15	✓	82.95
"	James A. Johnson, Crier	" 16	✓	1.00
"	Sally C. James for self & as guardian	17	✓	2129.62
"	Calvin Baker	voucher 18	✓	480.00
"	" "			
"	Eddie W. Baker see decree Mch 22, 1899		✓	600.00

ad

Ed

S T A T E M E N T .

By	cash payment from A. W. Clark	70.00
"	" " " A. N. Scott	56.67
"	" " " Eddie W. Baker	600.00
"	" " " " " "	57.60
"	costs from	
"	deferred payments Clark	140.00
"	Interest paid by "	12.60
"	Payment by Mrs. S. C. James	2725.25
"	Interest paid by " " " "	357.00
"	deferred payment A. N. Scott	113.33
"	Interest paid by " " "	16.45
"	Collect d from I. W. Jones on fi fa	117.50
"	Paid for watch by B. P. Gay	15.25
"	" by B. L. Cox, Adm'r	138.01
		4419.66

Baker's Administrator et als

Vs

Pitt et als.

The undersigned, your commissioner, begs to report, that pursuant to decrees entered in this cause he has collected for sales of lands from A. W. Clark, A. N. Scott, Eddie W. Baker, and Mrs. S. C. James, the sums of money as shown by a statement filed herewith and as administrator de bonis non c. t. a. of R. H. Baker deceased, he sold a watch at public auction to B. P. Gay for \$15.25, and collected by an action at law and some other legal proceedings from I. N. Jones the sum of \$117.50 and collected from B. L. Cox, Administrator of Sally Baker deceased who was the widow of R. H. Baker deceased, the sum of \$138.01 as per a decree entered in this cause, and that your Commissioner has distributed this money in accordance with the report of Commissioner Atkinson filed in this cause and to the entire satisfaction of all parties concerned. Until the death of Mrs. Sally Baker all the parties were adults and settlements were made with some of the parties before she died. After her death, leaving a will directing that her property go to the children of Mrs. S. C. James, then some infants became interested. Your commissioner says that Mr. R. S. Thomas who has been attorney on some questions which arose in this cause was assignee of Geo. E. Pitt and that some of the other Pitts assigned to Capt. Godwyn, Mr. Holloway and Mr. Jack Whitehead, all men of good business capacity and that all were entirely satisfied with the settlements made after investigation. That Mrs. James was present at Isle of Wight C. H. when a full statement was rendered.

Your Commissioner says that he has paid out the money received by him to the different parties as shown by a statement herewith filed and supported by proper vouchers herewith filed.

Respectfully submitted,

Wm S. Hall and -----Special
Commissioner.

Baker, s *Adm* c.t.a. &c

vs

Pitt et als.

Decree

September 26th. 1896.

TO be entered.

Robert H. Huntis

October 3rd 1896

*Received in the clerk's
of the Circuit Court
of the State of New York
and entered of record*

John A. G. Young

In the Circuit Court of Isle of Wight county in vacation, Sept. 26th 1896.

Sallie ~~Elizabeth~~ Baker admx. c.t.a. of R.H. Baker deceased and in her own right.

vs

Anna V. Pitt, James H. Pitt, George E. Pitt, Mary E. Davis, James T. Davis her husband, Walter B. Pitt, D. U. Pitt, J. Meador Pitt, Calvin Baker, Alexander Baker and Eddie M. Baker.

This cause came on this day to be heard on the bill taken for confessed as to the defendants on all ^{of} whom process has been duly executed except *Alexander* ~~Calvin~~ Baker an alleged non resident ~~as~~ whom it appears that an order of publication has ^{issued, published and posted according to law,} been duly ~~executed~~, and on reasonable notice of the purpose of the plaintiff to apply for this decree, and was argued by counsel:-

On consideration whereof the court doth adjudge, order and decree that one of the commissioners of this court enquire, take, state and re^oport to the next term of the court the following:-

- I() An account of the debts outstanding and unpaid against the estate of the said testator with their priorites and dignities.
- (2) The annual and fee-simple value of the real estate in the bill and proceedings mentioned.
- (3) The several debts due by Calvin Baker and Alexander Baker to the said testator, and whether or not the same are solvent or insolvent.
- (4) Any matter deemed pertinent by the said commissioner or any party in interest.

Robert H. Minter

*To the Clerk of the
Circuit Court of
Isle of Wight County.-*

R.H.Baker, s Admx. c.t.a. &c

vs

Pitt et als.

Oct. 26th 1896.

D E C R E E .

To be entered.

Robert K. Hunt

Entered

R.H.Baker, s Admx. c.t.a. &c.

vs.

Pitt et als.

This cause came on this day to be again heard on the papers formerly read and on the report of commissioner Geo R. Atkinson filed herein on the 16th day of October 1896 to which no exception has been filed, and was argued by counsel:-

On consideration whereof the court doth adjudge, order and decree that said report of commissioner Atkinson in so far as it relates to the value of the land of the testator and in so far as it reports debts due by the said testator, s estate is confirmed and in all other respects continued for exceptions; *by consent of parties* And the court doth further adjudge order and decree that Wm.S.Holland and R.S.Thomas who are hereby appointed special commissioners, either of whom may act, for that purpose do proceed to sell having first given twenty days notice of the time, terms and place of sale by printed hand bills, and if in the opinion of the commissioner it is necessary to further advertise by at least two publications in some weekly news-paper published in this or in some adjoining county, the lands in the bill, exhibits and proceedings mentioned at Isle of Wight Court-House on some court day at public auction for cash, one third, and the residue *and two* in one *year*, taking from the purchaser *with* a bond *and* good personal security for the deferred payments, retaining title till the further order of court, with the privilege to any purchaser to pay all in cash, but before the said commissioners or either of them shall begin the execution of this decree they or he shall enter into bond in the penalty of \$ *6000* before the clerk of this court, payable and conditioned according to law and with surety by the said clerk deemed sufficient.

And the court doth further adjudge, order and decree that one of the commissioners of this court take, state and report to court an account of the doings and transactions of the said administratrix, ~~and enquire and report the sale of the tract of land named in the will as containing 373 acres, more or less, and having been purchased from Hearn together the cost and expense of the sale of the same.~~

And any matter deemed pertinent by the commissioner or any party in interest. *And the further construction of the will filed with the bill is reserved for the future consideration and judgment of the court.*

And the Court doth further adjudge order and decree that as
soon as the bonds filed here come due or as
fast as the trustees thereof elect to pay the
same said Wm S. Hall and the said common
court doth from the papers the said bonds
levying with the clerk of this Court his receipt
therefor and proceed to ~~pay~~ collect the
same and distribute the proceeds thereof
as hereinbefore directed.

Baker et. al.

vs

Pitt et. al.

Deceit

April 26th 1837

To be intd.

Baker et als.

vs.

Pitt et als.

This cause came on to be again heard this day on the report of commissioner Geo.R.Atkinson filed here on the 11th day of April 1897 and on the report of sale of land by special commissioner Wm.S.Holland filed this day by leave of court, and was argued by counsel:

On consideration whereon the court doth adjudge, order and decree that said reports of commissioner Atkinson and special commissioner Holland to which no exception has been filed, be, and the same are hereby confirmed, and the sale of the lands to the parties named in the report of sales is hereby confirmed.

And the court doth further adjudge, order and decree that Wm.S. Holland who is hereby appointed a special commissioner for that purpose to make, execute and deliver to the several purchasers good and sufficient deeds with special warranty for the tracts bought by each party respectively upon the receipt of the purchase price with all accrued interest, and the said special commissioner is hereby authorized to accept in part pay any amount or sum due to Sally W.Baker widow of R.H.Baker deceased in part or in whole payment of the tract of land bought by her, and that upon the payment of his pro rata share of the costs of this suit and sale and delivering to the said special commissioner his receipt for what the Hearn Tract of land sold for then said special commissioner is directed to deliver to him his deed. And if the the said Ellie Baker so directs in writing the deed for him may be made to whomsoever he may direct provided he join in the deed with said special commissioner and provided the fact of said purchase and said request are recited in the said deed.

And the court doth further adjudge, order and decree that said Sallie W.Baker pay over to the said Wm.S.Holland special commissioner the balance in her hands after paying all debts, and that said Wm.S.Holland pay out of the fund in hand all the costs of this suit and the expenses of the sale made by him including a fee to Wm.S.Holland of \$ and pay the rest as follows

over

In the Circuit Court of Isle of Wight county, in vacation, this first day of March 1898.

Baker, s Administratrix et als.

vs.

Pitt et als.

This cause came on this day to be again heard on the papers formerly read, and on ^{of the complainants' intention to apply for this decree} reasonable notice to the defendants, and, was argued by counsel:

On consideration whereof and on the motion of B.L. Cox administrator of Sallie W. Baker deceased and Wm.S.Holland administrator de bonis non with the will annexed of Richard H.Baker deceased, the court doth adjudge, order and decree that this suit be revived and henceforth conducted in their names as plaintiffs.

And the court doth further adjudge, order and decree that one of the commissioners of this court take, state, and report to the next term of this court the following enquiries and accounts:-

First----- What is due, if anything, from the estate of Sallie W.

Baker deceased to Wm.S.Holland administrator de bonis non with the will annexed of Richard H. Baker deceased?

Second----- What estate, if any, belonging to Richard H. Baker deceased which has not been administered by the late Sallie W.

Baker administratrix of said Richard H. Baker deceased?

Third----- An account of the debts outstanding and unpaid against the estate of Sallie W. Baker deceased, with their priority and dignity.

Fourth----- Any matter deemed pertinent by the commissioner or any party in interest.

To N.F.Young, Clerk of the Circuit Court of Isle of Wight county, Va.

Robert H. Hunt

Baker, s Admr. et als.

vs

Pitt et als.

. D E C R E E .

.To be entered.

April 25th 1898.

Robert R. Murtis

Entered #3

Baker, s Admr. et als.

vs.

Pitt et als.

This cause came on this day to be again heard on the papers formerly read, on the report of sales of land by Wm.S. Holland Special Commissioner filed this day by leave of court, and on the report of Commissioner Geo.R. Atkinson filed herein on the 15th day of April 1898, and was argued by counsel:-

On consideration whereof, the court doth adjudge, order and decree that the said report of sales of land ^{except as to Eddie M. Baker} ~~to which no exception has been filed~~, be, and the same is, hereby confirmed, and that the sales of the several parcels of land to the respective purchasers are hereby confirmed, ^{except as to the purchase made by Eddie M. Baker} ~~and that the said report of Commissioner Geo.R. Atkinson be, and the same is, hereby amended by adding to the debts therein reported as outstanding and unpaid against the estate of Sallie W. Baker deceased, a debt of \$2725.00 with interest thereon from the 7th day of December 1896 till paid, due to Wm.S. Holland special commissioner in this suit for the "Home Tract" of land bought by the said Sallie W. Baker in her lifetime, and, as thus amended, the same is hereby confirmed.~~

And the court doth further adjudge, order and decree that said Special Commissioner collect from each of the purchasers ^{except Eddie M. Baker} ~~as fast as due~~, the purchase price for the parcel purchased by him or her except Eddie M. Baker, and when the purchase money is all paid with accrued interest, ~~and when Eddie M. Baker shall have paid his pro rata share of the costs of suit and sale~~, then said Wm.S. Holland who is hereby appointed a Special Commissioner for that purpose, make, execute and deliver to ^{each of} ~~the~~ ^{except Eddie M.} ~~several purchasers~~ a good and sufficient deed with Special Warranty for the parcel of land bought and paid for as aforesaid except as to Sallie W. Baker in which case the deed shall be made to ^{Sallie James (wife of Claude James) and her children} ~~Sallie James~~ the party to whom the said land is by her devised in her last will and testament; and out of the purchase money the said special commissioner shall pay the costs of this suit and sale ~~including a fee to Wm.S. Holland of \$~~ ~~and shall pay the residue as follows:-~~ To the estate of Sallie W. Baker a sum equal to one half of the net proceeds of the sales of land including that purchased

by Eddie M. Baker, and out of the residue pay to Calvin Baker or his assignee one half, deducting therefrom ^{one} ~~one~~ of what ^{R.H. Baker decd.} the last will and testament of ~~of~~ says shall be deducted therefrom, and pay the balance to the heirs at law of Minnie V. Pitt or their assignees, except that the portion due D.U. Pitt shall be paid to W.H. Jones who has a lien on the same as reported by Commissioner Geo. R. Atkinson in his report filed herein on the 10th day of October 1896.

And the court doth further adjudge, order and decree, that B.L. Cox administrator c.t.a. of Sallie W. Baker deceased pay to Wm. S. Holland, administrator de bonis non with the will annexed of R.H. Baker deceased, out of any money in hand or to come in his hands, the sum of one hundred and twenty four (124) dollars and ninety (90) cents with interest from August 3rd. 1897 till paid.

And the court doth further adjudge, order and decree that the clerk of this court make out and deliver to said Special Commissioner a statement in writing of all the costs of this suit to date by which the said commissioner shall pay costs of suit, and the said special commissioner shall report to court of his doings hereunder.

And it being suggested to the court that the sale to Eddie M. Baker was ^a ~~an~~ fraud upon the rights of Calvin Baker and ^{the Pitts} ~~the Pitts~~ the court doth adjudge, order and decree that one of the Commissioners of this court enquire and report whether or not the bidding for the Heorn Tract of land was bona fide, or for the purpose of giving Mrs. Sallie W. Baker an unjust advantage in the distribution of the funds arising from the sale of the property; and to report any matter deemed pertinent.

By consent of parties entered of record in open court it is ordered that this cause be made a vacation cause to be submitted to the Judge of this court in vacation for such decree and decision as might be entered or rendered in term.

Bakers adms etc
y / Du che
Pue et al

Rough Seri

Oct 25-1898 To

be entered -

Robert E. Huntis

Bakers admt et al

v { In The Circuit Court of Isle of Nipiles
Pitt et al

By consent of parties here
entered of record it is ordered that
this case be submitted to the
judges of this court for such decision
or decree herein in vacation as
might be made in term.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

Wm. H. H. H. H. H.

R. S. Thomas, atty for
Defendants

R. E. Boykin atty for Peto

Wm. H. H. H. H. H.

To be entered

Robert H. Thomas

Received & entered of
recd. Nov. 4th 1898

In Vacation: Circuit Court of Isle of Wight County
on the 2nd day of November 1898.
Baker's Administrator

vs. et al

This cause came on this day to be again heard, in vacation, upon the papers formerly read, and upon the report of Commissioner Atkinson heretofore filed in this cause, with the evidence upon which the same was based, and was argued by counsel. Upon consideration whereof the Court being of the opinion that the tract of land known as the Hearn Tract, in these proceedings mentioned, bid off by Eddie M. Baker, was bid off at a sum in excess of its real value as shown by the evidence returned with Commissioner Atkinson's report, and that to confirm the said sale at the sum of \$1525.00, the amount at which it was bid off by the said Eddie M. Baker as aforesaid, would be unjust and inequitable to the defendants in this cause, and would enable Mrs. J. H. Baker, or her heirs, to acquire an unjust and improper advantage in the distribution of the estate of J. H. Baker under his will, doth refuse to confirm as much as is contained in the report of Commissioner Holland as respects the sale of the said Hearn tract to the said Eddie M. Baker. And the Court doth further adjudge, order, and decree that W. S. Holland, who has heretofore been appointed a commissioner in this cause expressly to sell at public auction at Isle of Wight Court House on some Court day, after giving at least ten days notice of the time and place of sale by hand bills, the Hearn tract in the proceedings of this suit mentioned upon the terms of the former decree directing the sale of the real estate of the said

H. H. Baker. And the said Commissioner shall make report
to Court of his proceedings under this decree.

Robert R. Dennis
To the Clerk of the
Circuit Court of
Isle of Wight County.

Baker's administrator et al

vs.

Pitt et al

Decree

Enter Mar. 22, 1899

Robert R. Dennis

Received my ^{entire} ^{of} record
March 24th 1899

In the Circuit Court of Isle of Wight County in vacation this 22ond day of March 1899.

Baker's administrator et. als.

vs.

Pitt et. als.

This cause came on this day to be again heard on the papers formerly read on the report of Wm.S.Holland, special commissioner filed this day by leave of court, and on reasonable notice to the defendants of the purpose of the plaintiffs to apply for this decree, and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree that the sale of the tract of land containing 376 acres, more or less, known as the " Hearn Tract" to Eddie M.Baker at the price and sum of six hundred dollars, be, and the same is, hereby confirmed, and that as soon as the said Eddie M.Baker shall pay to said Wm.S.Holland special^a commissioner sixteen per cent of the total costs of suit and sale, it being the opinion of the court that it is reasonable, equitable and just that he should pay such portion of said costs, then he shall be entitled to a deed therefor without the payment of any more of the purchase price, he being entitled under the will of R.H.Baker deceased to recieve the net proceeds of the sale of the said land, and Wm.S.Holland who is hereby appointed a special commissioner for that purpose shall make, execute and deliver to said Eddie M.Baker a good and sufficient deed with special warranty for the said property as soon as said portion of said costs are paid.

And the court doth further adjudge, order and decree that Wm.S. Holland administrator c.t.a. de bonis non of R.H.Baker deceased pay the amount in his hands, and to come in his hands, to himself as special commissioner, and that he make report to court as such administrator showing the amounts thus paid over and from what sources derived.

And the court doth futher adjudge, order and decree that as soon as said special commissioner shall have collected all the purchase price of the lands sold under decrees in this suit, and shall have collected what is due from the administrators of Sallie W.Baker and R.H.Baker deceased as provided in this, and other decrees entered in this cause then he shall .

~~then he shall~~ ^{the} proceed to pay out costs of this suit and said sales including a fee to Wm.S.Holland of \$100.⁺/_x for his services as attorney in this cause, and shall pay the balance in hand as follows: one half, including net proceeds of the sale of the Hearn Tract of land to Eddie M.Baker and including also the amount to be paid by Calvin Baker, or which, as provided by the will of R.H.Baker deceased, is to be deducted from his share, as shown by a report of commissioner Geo.R.Atkerson filed herein on the 16th day of October 1896; to Sallie James (wife of Claud James) and her children if adults, but if said children are not adults, then to said mother and the duly qualified *Provided such guardian has first given bond with sufficient surety and in penalty* guardian of said children, but no money shall be paid to said Mrs. James or her children or to their guardian until she or they shall pay unto B.L.Cox administrator c.t.a. of Sallie W.Baker deceased and to other creditors of Sallie W.Baker what is due them as shown by the report of commissioner Geo. R.Atkerson, filed herein on the 15th day of April 1898; and pay the rest in hand as follows: one half to Calvin Baker or his assignee less the amount to be deducted as aforesaid; and pay the rest in hand equally to the children of Louvinia Pitt who are named in the bill or to their assignees who may apply to the said special commissioner for payment as such assignees with written evidence of such assignment.

And the clerk of this court shall make a statement of all costs of this suit up to and including a final decree herein and deliver the same to said special commissioner Wm.S.Holland.

Robert D. Hendrix
To the clerk of the circuit court of Isle of Wight County, Va.

sufficient for the decree of the same

Baker's Adm'r et als

Vs

Pitt et als.

D E C R E E

To be entered

April 22, 1901.

Robert H. Smith

Baker's Administrator et als

VS

Pitt et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of receipts and disbursements by Wm. S. Holland, Special Commissioner, which includes the receipts and disbursements by Wm. S. Holland Administrator de bonis non with the will annexed of R. H. Baker deceased, and includes the money paid by B. L. Cox Administrator with the will annexed of Sally W. Baker deceased, this day filed by leave of Court; and was argued by Counsel:

In consideration whereof the Court doth adjudge, order, and decree that the said report of Wm. S. Holland, Special Commissioner, to which there is no exception, and which appears to be supported by proper vouchers, be, and the same is, hereby confirmed. And nothing further appearing necessary to be done in this cause, it is ordered that the same be stricken from the docket.

R. H. Baker's
Will

A copy

At a county court held for the County of Isch
of, Wight August the 3rd 1890,

A paper purporting
to be the last will and testament of Richard
H Baker died, was presented in court, and proved
in part by B. L. Loy, one of the subscribing witnesses
thereof. D. N. Jones was sworn and deposed that he
was present, and saw the testator sign his name
to said writing in the presence of the subscribing
witnesses and the subscribing witnesses signed
their names in the presence of the testator & heard
the testator declare it to be his will. Whereupon
the said writing is ordered to be recorded as a
true last will and testament of the said
Richard H Baker deceased. And D. N. Jones
the executor named in the will having
appeared in court and refused to take upon
himself the burden of the execution thereof
on the motion of Sallie W. Baker who made
oath and together with B. L. Loy W. A. Edwards and
Jos A Gunn the securities entered into and acknow-
ledged a bond in the penalty of Fourteen hundred
dollars, with conditions ^{according} to law. Certificate of Adminis-
tration is granted her on the said Richard H Baker's
Estate, with the will annexed, and it is ordered
that said bond be recorded. It is ordered that
D. N. Jones, A. N. Scott, L. L. Scott, J. J. Stringfield
and N. P. Jones or any three of them, being first
duly sworn for the purpose do truly & justly appraise
such of the goods and chattels of the said Richard H
Baker died, as may be produced to them and return
their appraisement under their hands as the law directs
A Copy Teste N. J. Young clk Teste N. J. Young clk

Whereas: I Richard H. Barker of the County
of Isle of Wight, and State of Virginia, have
made my last will and testament in writing
bearing date June 7th 1892, in and by which
I have given and bequeathed to my sister
Lavinia Pitt & my brother Leavin Barker
the balance of my estate.

Now therefore, by this writing which I hereby
declare to be a codicil to my last will and
testament, and to be taken as a part-
thereof, order and declare that my will
is that my sister Lavinia Pitt, shall have
the part of my estate left to her in fee simple
to do as please with. And lastly it is my
desire that this codicil be annexed to and
made a part of my last will and testam-
ent as aforesaid to all intents and purposes

R. H. Barker *[Signature]*

Signed sealed declared and published
by the said Richard H. Barker, as and for
his last will and testament in presence
of us who at his request and in his
presence, and in presence of each other
have subscribed our names as witnesses
hereby:

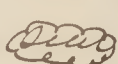
B. L. Coy

E. P. Davis

oldest daughter Anna Virginia Pitt and
the other half of the remainder of my estate
left to my brother Leavin Baker. I want
deducted all amounts due me by him
including a note now held against me
by R. J. Thomas for about \$179⁰⁰ which
amount is due for him.

I do nominate and appoint J. N. Jones
to be my executor of this my last will
and testament, and give him One hundred
dollars for attending to the same.

On testimony whereof I have hereunto set
my hand and seal, and publish and declare
this to be my last will and testament in
the presence of the witnesses named below
this 7th day of June 1892

R. H. Baker 

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

B. L. Coe

E. P. Davis

Exhibit 8

In the name of God Amen, I Richard. H. Baker, in the County of Isle of Wight, and State of Virginia being of sound mind and memory do make and publish this my last will and testament-

- 1st I give and bequeath to my beloved wife Lullie W. Baker, one half of my whole Estate both real and personal to her and her heirs forever;
- 2nd I give and bequeath to Eddie M Baker my nephew, son of Alexander Baker, one bond for three hundred dollars, that I hold against his father Alexander Baker, and what the tract of land, will sell for, that I purchased from B. W. Hearn containing about 3 1/3 acres adjoining the lands of J. W. Ward, Mrs Nancy White James W. Stallings, William Bailey and others;
- 3rd I give and bequeath to my brother Alexander Baker, all bonds that I hold against him except the one mentioned above which I left to Eddie Baker, and all security and all security money, that I paid for him.
- 4th The balance of my estate, I give to my sister Lavinia Pitt, and my brother Leolin Baker, to be equally divided between them, the half left to my sister Lavinia Pitt I just wish her to have the interest on it during her life, and at her death, to go to her

Exceeded by delivering to the within
named Mary E & J. P. Davis Calvin Raper
& Ed. M. Baker, each a true copy of the
within Summons. Sept. 24th 1896

No A. Edwards Supp

Booker's Office
207 Cornhill
Boston
Att of the
No 26 Sep 1896

Received by the undersigned
 the sum of \$100.00
 for the purchase of the
 land of the late John
 Smith, deceased, and
 the same is hereby
 acknowledged.

Please take notice that on the 26th day of September 1906 at the
 office of Hon. Robert H. Prentiss in the town of Suffolk, I will apply to
 the said Hon. R. H. Prentiss Judge of the Circuit Court of said County of Suffolk
 for an interlocutory decree for partition and account in the suit of
 John S. Hall v. John S. Hall et al. in which I hold a bill to sell the land of
 the said John S. Hall et al.

Very truly,
 Yours,

Wm S. Hall

Wm S. Hall

for attorney.

October 8th 1896. Jackson ^{legal} Service for Calvin Baker
 Calvin Baker by R.S. Thomas atty.
 Executed by delivering a copy of this notice
 to Mary E. Davis Jas. S. Davis Ed. M. Baker
 & to W.S. Holland atty. for Sallie W. Baker.
 Octo 10th 1896.
 The within Alex. Baker not found & no
 inhabitant of my County.
 Ro. A. Edwards Clk

FORM No. 400.

Baker, Mary

COMMISSIONER'S NOTICE.

vs.

C. T. and others

Subscribed 13th 1896

9

Commissioner's Office,

Smallpox October 3rd

1896

To John W. Baker who was named in the will annexed of P. H. Buchanan and in
his own right, Plaintiff and Anna V. Pitt, James H. Pitt, George E. Pitt, Mary E. Davis
and James J. Davis his husband, Walter B. Pitt, W. H. Pitt, J. Mendon Pitt, Calvin Baker
Alexander Baker and Edgar W. Baker Defendants

You are hereby notified that I have fixed upon the 13th day of October 1896 next,

if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the ^{following} accounts

~~of and against~~ ^{the} ~~estate of the said testator~~ ^{the account} of the debts and demands and unpaid
against the estate of the said testator with their priorities and charges, 2nd the amount
and full value of the real estate in the bill and proceedings mentioned 3rd the ~~debts~~
and ~~due~~ ^{debts} by Calvin Baker and Alexander Baker to the said testator and whether
or not ^{the same} they are solvent or insolvent, 4th any matter claimed pertinent by
the commissioners or any party in interest

required to be taken by a decree of the ~~Grand~~ Court of the county of Isle of Wight

rendered on the 26th day of September 1896, in a suit in chancery depending in said

Court between ~~you as plaintiff 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.

W. P. Robinson Secy.

Executed this the 9th day of Oct 1896
By delivering a true copy of the within
Notice to Anna. V. Pitt & H Pitt W. H. Pitt & J Madar Pitt
in person R D Ballard Deputy Hon
O H Baker Sheriff

Form No. 400.

John M. M. M. M.

vs.

COMMISSIONER'S NOTICE.

dit was returned

to October 18th 1896

Commissioner's Office,

Smithfield October 3rd

1896

To Ellen W Baker now residing with the widow of R A Baker deceased
was in her own right plaintiff, and Allen V Pitt, James H Pitt, George E Pitt
Mary E Davis and James S Davis her husband, Walter B Pitt, W M Pitt, James
Lee Pitt and son Baker, Alexander Baker and Eddie M Baker Defendants

You are hereby notified that I have fixed upon the 13th day of October 1896 next,

if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the account

of said expenses, to wit 1st the amount of the debts now standing and unpaid
against the estate of the said testator with their priorities and dignities, 2nd the an-
nual and for sample value of the real estate in the bill and proceedings mentioned,
3rd the several debts due by Baker and Wm, under Baker to the said testator
and which are not the same as the debts now standing and unpaid of any matter claimed
hereunder by the said complainer or any party interested,

required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 26th day of September 1896, in a suit in chancery depending in said

Court between you as plaintiff 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.

Wm R. Atkinson

Office of
County Judge of Isle of Wight;

Geo. R. Atkinson, Attorney-at-Law.

Smithfield, Va. Apr 13th 1897

Mr. Belmont

Dear Sir I have finished the Baker aff.
and sent it to clerk's office by mail in the morning so
as to have in time, I send herin the notice which you
had, better get acknowledged, as it is too late to be served.

Yours truly
Geo R Atkinson

Bakers Commission

vs.

}

COMMISSIONER'S NOTICE.

Put and others

April 13th 1877.

Commissioner's Office,

Smithfield March 23

1897

To Sally W Baker now residing with the well annexed of R H Baker deceased and
in her own right. Plaintiff, and Anne V Pitt, James H Pitt, Geo E Pitt, Mary E
Harris and James S Harris her husband, Walter B Pitt W W Pitt, J Menden Pitt,
Isabel B Baker, Alexander Baker and Essie M Baker Defendants,

You are hereby notified that I have fixed upon the 13th day of April next,

if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the account
of Sally W Baker now residing with the well annexed of Richard H Baker
deceased.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight

rendered on the 26 day of October 1896, in a suit in chancery depending in said

Court between you as 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.

Geo R Robinson Ch.

Anna V. Pitt
Channell

Executed this 23rd day of February 1898 by delivering
a true copy of this notice in person to Anna V. Pitt now
Channell, James H. Pitt, Geo. E. Pitt, Mary E. Davis ^{+ dau. J. Davis her husband} who was Pitt,
J. Meadow Pitt, Calvin Baker, Eddie M. Baker, B. L. Cox admr.
of Sallie W. Baker deceased and Wm. S. Holland admr. de bonis
non o.t.a. of R. H. Baker deceased, ^{D. Myhart Pitt and W. B. Pitt}
~~XX~~
~~XX~~.

Ro. A. Edwards
Steph

To Anna V. Pitt, James H. Pitt Geo. H. Pitt, Mary E. Davis who
was Pitt and James T. Davis her husband, D. Urquhart Pitt, J.
Meadow Pitt, ^{W.H. Pitt} Calvin Baker Alexander Glile M. Baker, and B.J. Cox
~~XXXXXXXXXXXXXXXXXXXX~~
Wm. Sallie V. Baker deceased:

Now of &c of R.H. Baker deceased ~~XXXXXXXXXXXXXXXXXXXX~~
Please take notice that on the first day of March

of Sallie M. Baker deceased ~~XXXXXXXXXXXXXXXXXXXX~~ Wm. Sallie M. Holland ~~XXXXXXXXXXXXXXXXXXXX~~ de bonds
1898 at the office of the Hon. Robert R. Prentiss in the town of

1. Wm. Sallie M. Holland ~~XXXXXXXXXXXXXXXXXXXX~~ Sallie M. Baker, Elyse M. Baker, B.J. Cox ~~XXXXXXXXXXXXXXXXXXXX~~
Suffolk Va. apply to the said Robert R. Prentiss Judge of the Cir-

Circuit Court of Isle of Wight County in vacation for a decree re-

specting this suit in which you are defendants in the name of B.

J. Cox and Sallie M. Holland ~~XXXXXXXXXXXXXXXXXXXX~~ 1898 by Sallie M. Holland

Wm. S. Holland and de bonds non with the will annexed as plain-

tiffs and enquiries and accounts.

Respectfully

B.J. Cox Wm. Sallie V. Baker

Wm. S. Holland Wm. Sallie M. Holland

Wm. S. Holland Baker deceased.

Notice

To Anna V. Pitt, James H. Pitt, Geo. E. Pitt, Mary E. Davis who was Pitt and James T. Davis her husband, Walter B. Pitt, D. Urquhart Pitt, J. Meadow Pitt, Calvin Baker, Alexander Baker, and Eddie M. Baker.

Please take notice that on the 22nd day of March 1899 at his office in the town of Suffolk Virginia, we shall apply to the Hon. Robert R. Prentiss Judge of the Circuit Court of Isle of Wight County for a decree in the suit in chancery pending in said Circuit Court in which you are defendants and we are plaintiffs, for confirmation of sale to Eddie M. Baker, and to settle all questions of costs and for distribution of the money in the hands of Wm. S. Holland Special Commissioner and to come into his hands.

B. L. Cox, Admr. of Sallie W. Baker deceased
and Wm. S. Holland, Admr. de bonis non
c.t.a. of R. H. Baker deceased
by Wm. S. Holland their attorney.

We hereby accept due, legal and sufficient service of this notice.

R. S. Thomas attorney for
Anna V., James H., Geo. E., Walter B., D.
Urquhart, J. Meadow, Pitt, Mary E. Davis
who was Pitt James T. Davis her husband
and Calvin Baker.
R. E. Boykin

Office of
County Judge of Isle of Wight,
Geo. R. Atkinson, Attorney-at-Law.

Smithfield, Va.

189

W J Holland Esq

Dear Sir, Please find enclosed my report
in the Baker suit. I have sent papers as I suppose
you will not need them in drawing my decree, and on ac-
count of postage, will bring them to court

Yours Truly
Geo R Atkinson

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
—OF—
W. S. MOLLAND.

Windsor Station, Va.,

Mar. 7th 1899.

Col. R.E. Boykin,

My Dear Sir:-

I want to get a decree in the Baker case confirming the Eddie M. Baker sale. You and Mr Thomas represent all the defendants- all are anxious to to have a settlement of the same. Will you please take this paper to Smithfield tonight and you and Mr Thomas sign for the defendants and let it come back to me by mail in the envelope in which I send it to you?

Yours Very Truly,

Wm S. Molland

My Dear Sir: Mr Boykin handed me this letter & the paper attached to and said the parties he represented were not named in the notice; to name them; & then sign under his name attorney for them.

Yours Truly R. S. Thomas

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
—OF—
W. S. MOLLAND.

Copy

Windsor Station, Va., Sept. ~~20~~¹⁹th. 1899.

H.J.

Mr. John L. Cowling,
Smithfield Va.

Dear Sir:-

I send you enclosed a deed for Mr. Scott, but before it is delivered to him or to anyone for him as a deed, please have him mail to me a check for \$ 147.89 it being the balance due me on said land. As soon as I collect the check I will mail to you the two bonds cancelled, and ~~can then~~ ^{then you can} deliver the deed and the bonds to Mr. Scott.

Yours very truly,
Wm S. Molland

a copy.