1901-009 Chancery Causes. N. B. Bell & ux & al vs Madison Swaltney 's admr &
Dsle of Wight County Caroline E. Swaltney, by & c

other surnames: Cofer, Branch, Jones, Warren, Edwards, Smith, Delk, Barlow

Chancery Office

Lebanon Ky September 2nd 1898

To A G Rice and Grace I his wife, John W Roper and Georgeanna F his wife R B Jones and Nola his wife J L Warren and James M Branch Plaintiffs and to

R A Edwards non-resident defendant to bring now with the will annexed of Madison Gwaltney deceased and Caroline E Gwaltney an infant under 21 years of age by R A Thomas her guardian ad litem Defendants

Take notice that I have fixed upon the 7th day of October next at my office aforesaid at my office aforesaid to state and report the following enquiries and accounts to wit 1st an account of the fee simple and annual value of the tract of land of which the said Madison Gwaltney died seized, of the two thirds thereof which he devised to be sold for the benefit of his children Antonette E. Gwaltney Georgeanna F Gwaltney and Grace I Gwaltney, and of the one third thereof which he devised to be sold for the benefit of his children Antonette E Gwaltney Georgeanna F Gwaltney and Grace I Gwaltney and Caroline E Gwaltney.

2nd Whether the said tract of land as a whole or the said two thirds thereof or the said one third thereof is capable of partition in kind among the parties entitled thereto or will the whole or either of the said parts be required by any party who will pay to the other parties such sums of money as their interest therein may entitle them to or whether it will be to the interest of the parties that sale shall be made of the entire subject as a whole or the said parts separately or all thereof and sale of the same,

3rd An account of the debts unpaid against the said Madison Gwaltney or his estate with their priority and degree, 4th Whether there is any lien for unpaid taxes on an account of the said land or any part thereof how any lien exists for taxes, or other sum on said land or on any share thereof 5th Any matter deemed pertinent by the commissioner or required by any party to be stated, required to be stated by a decree of the Marion circuit court of date of August rendered on the 29th day of September 1898 in a suit in chancery pending in the said court in which you are plaintiff and defendant

at such time and place you are required to attend

Given under my hand as a commissioner in chancery of the said court

this day and year first aforesaid

R. E. Boykin

Commr in Ch

Pro A Comrs Eqty

and Admr &c.

In R V Edwards et al vs Nathaniel Jones et al
Watson Broadway and Caroline E Broadway as infant by P J
Thomas her guardian ad litem.

Please take notice that on the 2nd day of September 1898. at his office
in the town of Suffolk Virginia I shall apply to the Hon Robert P
Scott a judge of the circuit court of Isle of Wight county in vacation
time to enter a decree for accounts and accounts in the suit in equity
pending in the circuit court wherein we are plaintiffs
and you are defendants

N B Bill. Chas S Bell John W
Cofer. Virgil E Cofer. R B Jones Isha
Jones J A Warren. Jones &
Branch by
Wm Parkerson their attorney

Southern Crops. Service of the weather vane.

Robt A Edwards Chief Clerk.

R. S. Thomas Guardian
of Helen for Carolina &
Swaney.

17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

In the County court of Isle of Wight County the 4th day of July 1892

"Mrs. C. C. Gwaltney, administratrix of Madison Gwaltney, deceased, who on motion of Jason Little and James Gwaltney her securities, was summoned at the last term of this court, to appear here in court, and show cause why she should not be required to give a new bond, as such administratrix, appeared according to summons, and refused to give a new bond; whereupon it is ordered that her powers as administratrix as aforesaid be revoked and annulled; And upon motion of L. H. Gwaltney the estate of Madison Gwaltney deceased is committed to the hand of Ro. A. Edwards sheriff for administration

A. copy

Teste R. T. Young c.c.

Bell ruf. Tals
vs. Z Chy
Gwaltney's admr et als

Order Committing estate of W. Gwaltney to hands of R. A. Edwards. Shff

Exhibit F

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 312.

Virginia: In the Clerk's Office of the County Court of the County of Isle of Wight.

I, N. F. Young, Clerk of the County Court of the County of Isle of Wight, do hereby certify that on the 3rd day of January 1865 O. C. Gwaltney duly qualified in my said court as administratrix of Madison Gwaltney deceased and gave bond as such according to law.

Given under my hand this 13th day of September 1898

N. F. Young Clerk.

Bell wf et als
vs. Chy
Gwaltneys admr et als

Form No. 312.

Certificate of Clerk of Qualification

OF

O. C. Gwaltney

as administratrix

of Madison Gwaltney

dec'd.

Complainant's Exhibit 2

To the Hon. Judge Geo. R. Atkinson, of the County Court of Isle of Wight, County.

We the undersigned commissions appointed at the January term of the said court, to value the lands of Madison Gwaltney, deceased, and set aside a one third interest to his widow, Oceanna C. Gwaltney,; we respectfully submitthe following report.

We value the entire land at Nineteen Hundred Dollars ($1900,00). We give to his widow, Oceanna C. Gwaltney the mantion house, except so much as was otherwise disposed of by the will, and all ajacent buildings, and twenty acres of land more or less, bounded as follows; beginning at oak post, (a corner line) on county road, adjoining Joseph C. Little, thence up said road, a west course, to a post on corner of ditch, thence downa row of apple trees, running south to a pine tree, in branch, then down said branch east course to a black gum corner line of Joseph C. Little, thence north to the beginning. The said widow Oceanna C. Gwaltney, has the privilege of getting all necessary trash, fire wood, and rail timber needed for the said dowerage, off of any of the wood landsouth of the county road.

A. S. Holleman
A. H. White
J. O. Cofer
Commissioners.

In the county court of Isle of Wight county the 2d day of May 1898, the forgoing report of commissioners appointed to set aside dower to Oceanna C. Gwaltney the widow of Madison Gwaltney deceased having been filed in the clerks office one month and no exception filed thereto is confirmed and ordered to be recorded.

Teste N. B. Young c.c.

A Copy Teste N. B. Young c.c.

Erhalten
[illegible]
b. d. D.

KnOw all men by these present, that I Madison Gwaltney of the County of Isle of Wight and State of Virginia, Considering the uncertainity of life and being of sound mined and memory do make declare and publish this my last will and restament. After paying all my just debts I give to Mrs. Margret Smith a room on the seconed floor in the house I now live in so long as she will take care and watch over my childern.

I desire the executors who I shall hereafter name to sell all of my personal proprety of whatso ever kind of which I shall die seized and possesid or to which I am entitled at the time of my death.

It is my wish and desire for the executors to sell two thirds of my real estate or any part thereof or lumber on same or rent the same out as they may think proper or best to do , For the benefit of three of of my childern, of the following names Antoinett C, Georgie F, and Grace T, Gwaltney; at the death of my widow I desire the remaining one third of my real estate to be sold and equally devided between my four childern, Antoinett C, Georie F, Grace T, and CarolineE. Gwaltney.

I give to my grand son James Branch the bond which I now hold against his father James Branch, I do nominate and appoint my atty. and nephew; R,E, Boykin and L,H, Gwaltney, to be the executors of this my last will and testatment, In testemonywhereof Ihave to this my last will and testamentset my hand and seal and publish and decre this to be my last will and testament in presents of the witness named below this first day of May in the year of our Lord one thousand eight hundredand eighty four

Madison Gwaltney seal

Signed sealed declared and published by the said Madison Gwaltney

as and for his last will andtestament in the presence of us who at his request and in his presents and in presence of each orther have subscribed our names as witneses hereto.

Josiah Stallings,

Edwin E Bell,

In the County Court of Isle of WightCounty the 3 of Jany 1885 this the last will and testament of Madison Gwaltneyde cdwas proved by the oaths of the subscribing witnessestheretoand orderedto be recorded,

Teste N. P. Young clk

A copy

Teste N. P. Young c.c.

Madison Gwaltney's

Will

A copy

Exhibit A

In the Circuit Court of Ike County, Wright County

vs

A B Bell and wife and others Plaintiffs

to

R A Edwards and the heirs and Madison Gwathney and others Defendants.

This cause came on this day to be again heard on the papers heretofore read and on the appeal of R A Edwards administrator of the heirs and wife and assignee of Madison Gwathney deceased and was argued by counsel the consideration whereof the court doth confirm the said report in which no exceptions are filed. And it appearing that there is nothing further to be done in this cause it is ordered that it be stricken from the docket

N B Bell Funeral Notes

in

Evangelical Church Yard.

Decoration

Sept 22 1901

To be printed.

Robert Dennis

1 Lot One hundred and Sixty feet square

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

In the Chancery Court of Isle of Wight County, April 24th 1899

A B Bell and wife and Others Plaintiffs

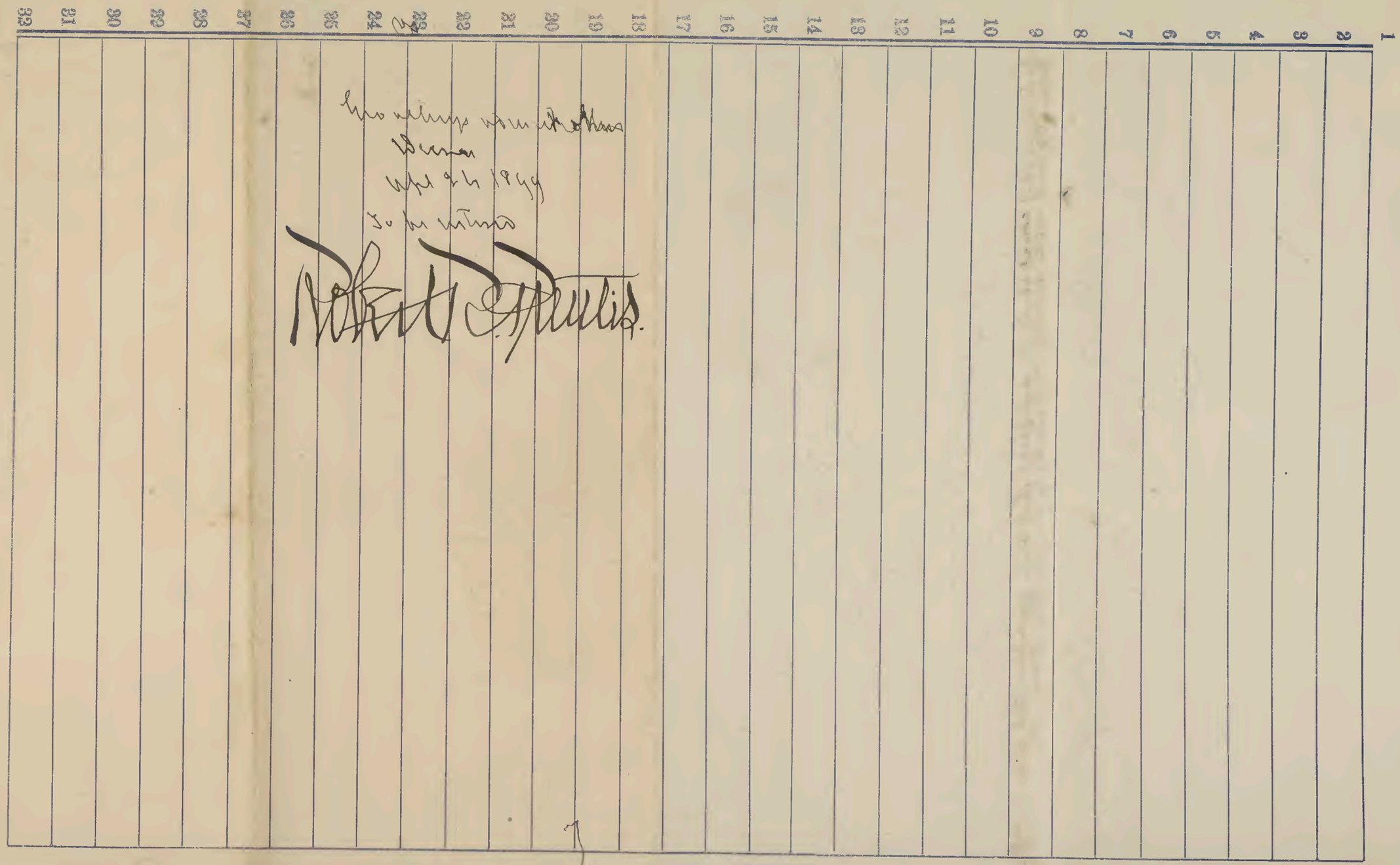
vs

Bond in Chancery by R T Thomas his Gdn ad litem Defendant

This cause came on this day to be again heard on the papers formerly read and on the report of R A Edwards Commissioner to whom was with the said consent of Madison Gwaltney Executor under the decree herein of October 23rd 1898 - and was argued by counsel. On consideration whereof the court doth confirm the said report to which no exceptions are filed, and doth adjudge, order and decree that upon the entirety of the sales bonds of A B Bell filed with said report or in case the said A B Bell shall desire to substitute the payment of the said bonds or either of them, bonds to do which is hereby granted, when the said A B Bell shall desire to pay the same, the Clerk of this Court shall deliver the said bonds to the said R A Edwards Commissioner upon his filing his receipt therefor who shall proceed to collect the same and after paying the unpaid costs of the suit and the balance due on the debt due to Margaret Smith referred to Commissioner Boykins report filed Octr 12th 1898. shall pay four fifths of the remainder to Grace T Bell the wife of the said A B Bell, five eighths thereof to Georgie F Cofer the wife of John W Cofer one twenty fourth part thereof to James M Branch, one twenty fourth part thereof to Viola Jones the wife of R C Jones one twenty fourth part thereof to J L Wren and one twenty fourth part thereof to the legal guardian of Caroline Gwaltney and upon the payment of the said bonds the said R A Edwards Commissioner shall execute and deliver to the said A B Bell a good and sufficient deed with special warranty for the part of land sold under the aforesaid decree of October 23 1898 and make report thereof to court of his proceedings under this decree

so soon as this court shall be satisfied that such guardian has given in sufficient penalty and with security sufficient to secure the same.

Ballots and returns



In the Circuit court of Isle of Wight County October 4th 1898

L B Bell and wife and others Plaintiffs

vs

R A Edwards Sheriff and administrator de bonis non with the will annexed of Madison Gwaltney deceased and others Defendants.

This cause coming on this day to be argued heard on the papers formerly read and was on the report of Commissioner R E Bagnall under decree herein of September 4th 1848 and was argued by counsel, On consideration whereof the court doth confirm the said report to which no exceptions are filed and doth adjudge, order and decree that said R A Edwards Sheriff of Isle of Wight county and as such administrator de bonis non with the will annexed of Madison Gwaltney, deceased, do offer for sale at public auction to the highest bidder at Isle of Wight court house on some court day, upon first any notice of the time, place and terms of sale at the said court house on a court day, ~~the~~ part of the land in the bill mentioned of which the said Madison Gwaltney died seized, situated in the county of Isle of Wight ~~as was separate parcels the following~~ to wit the land of two thirds of said land which was devised by the said Madison Gwaltney to be sold for the benefit ~~of~~ his children Antionette C Gwaltney Georgie E Gwaltney and Grace J Gwaltney ~~and the part of said land through which Isaac Isaac occupied as dower to his widow Deanna C Gwaltney and devised to be sold for the benefit of his children Antionette C Gwaltney Georgie E Gwaltney Grace J Gwaltney and Isaac E Gwaltney and subject to the dower upon the following terms~~ is not for cash as to so much of the proceeds of sale as may be necessary to pay the cost of said and sale including a fee of Thirty dollars to George R Atkinson for his services as attorney in the suit and the remainder on a credit of one and two years from the day of sale, the purchaser to give two bonds of equal amounts with sufficient security and waive of homestead, payable one and two years

respectively from the day of sale with interest from date, and make return to court of his proceedings under this decree.

Sworn to and subscribed before me this 6th day of June 1899.

Robert Saunders.

Master in Chancery.

Rec'd, & P'd and ord'd to be

In the Circuit court of Ike of Wright county in vacation on the 24th day of September 1898.

A B Bell and Grace J his wife, John W Wafer and Georgiana E his wife, R C Jones and Ada his wife J L Warren and James M Branch, Plaintiffs

and

R A Edwards administrator de bonis non with the will annexed of Madison Gwaltney deceased and Caroline E Gwaltney an infant under the age of 21 years by R A Thomas her guardian ad litem Defendants

This cause coming on this day to be heard on the bill taken for confessed by R A Edwards administrator de bonis non with the will annexed of Madison Gwaltney deceased, on whom process has been duly served and he failing to plead, answer or demur, on the answer of the infant defendant by R L Thomas her guardian ad litem duly appointed & filed at rules & defendants interest in this suit was granted replication thereto was on rule & filed and was argued by counsel. On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court, there be and hereby is named & appointed (full power) & authorized to take an account of the fee simple and annual value of the tract of land in the bill mentioned of which the said Madison Gwaltney died seized, of the two thirds thereof which he directs to be sold for the benefit of his children, Antoinette L Gwaltney, Georgie Gwaltney, Grace J Gwaltney, and Caroline E Gwaltney and of the one third thereof assigned to his widow and dowress to be sold for the benefit of his children Antoinette L Gwaltney, Georgie and L Gwaltney, Grace J Gwaltney and Caroline E Gwaltney.

2nd Whether the said tract of land as a whole, or the said two thirds thereof or the said one third thereof is capable of partition in kind among the parties entitled thereto or which the whole or either of the said parts be accepted by any party who will pay to the other parties such sums of money as their interest therein may entitle them to, or whether it will be to the interest of the parties that sale shall be made of the entire subject as a whole or said parts separately or all thereof and parts and sale of the reserve.

3rd An account of debts unpaid against the said Madison Lewellyn or his estate with their priority and dignity.

4th Whether there is an lien for unpaid taxes or on account of the said Court or any part thereof having been sold for taxes, or otherwise on said land or any share therein.

5th Any matter deemed pertinent by the commissioner or required by any party to be stated.

Robt R. Dennis.

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

Robt R. Dennis

Received in Office
October 26th 1898
Teste, Wm Parker Clerk

212
2498
2710

Received February 27th 1907 of R H Edwards attorney late of Madison Executor Seventy seven dollars and twelve and one half cents in full of the first distribution of the proceeds of sale of land and twenty four dollars and ninety eight ~~dollars~~ cents in full of the second distribution of the funds under decree of the ~~Circuit court of~~ the Circuit court of Isle of Wight county entered on the 24th day of April 1899 in the suit in Chancery pending therein between A B Bell and wife and others plaintiffs and R H Edwards attorney late of Madison Executor and others defendants.

Carrie E. Barlow
Family
Carrie E. Gwaltney

Isle of Wight County to wit

I George R Atkinson, commissioner in Chancery of the Circuit court of Isle of Wight in the State of Virginia do certify that Parker W Cofer personally appeared before me this day and made oath that Caroline E Barlow formerly Caroline E Gwaltney whose name is signed to the writing above bearing date February 27th 1907 is the infant defendant in the suit in Chancery in the Circuit Court of Isle of Wight county between A B Bell and wife and others plaintiffs and R E Edwards attorney of M Gwaltney and others defendants and that the said Caroline E Barlow is of the age of twenty one years. John W Cofer

and I do further certify that the said Caroline E Barlow by the name of Carrie E Barlow has acknowledged the said paper before me in my said county.

Given under my hand this 27th day of February A D 1907

Geo R Atkinson

Mr. Robt A Edwards Admr Mocion Quattlebaum, Hardy District

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 $ 1129	3 39	1 13	5 64	56	56	56	
" Capitation Taxes	~~1 00~~		~~50~~				
" Income $							
Total							11 84
5 per cent. additional							59
Total							12 43

Received payment ____ *day of* ____ *1* ____

____ *Treasurer.*

Per ____

Robert of Belvoir

$73.01½
21.25
$94.26½

Received February 29 1900 of R A Edwards warden the house now of Mathews Lunatic Asylum the sum of Two hundred and ninety four dollars and twenty six and one half cents under decree of Isle of Wight Law and Equity Court of April 24 1899. of which sum, Two hundred and seventy three 1/2/100 dollars is in full of my share of the debt due by the said estate to Margaret Smith and assigned by her to myself and sister Grace L Bell, and twenty one 25/100 dollars is in full of my share of the first distribution of the proceeds of the sales of the land made under the decree of the said Court in the suit of Bell and wife and others against Mc Cracken's administrator and others.

Georgie T. Cofer

John W. Cofer

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

9-7/3.14½
2 1.25
$7.2 4 4.26½

Recvd February 20th 1900 of R A Edwards clerk & Master in
Chancery Seventy Seven hundred and Ninety four dollars and Forty
Seven & one and one half cents under decree of the Circuit Court of Isle of Wight
County of Upper 24.1899 in the suit of Bell and Wife and others against
W Wheatleys Exrs and Others. of which sum Two hundred and seventy three
dollars and one and one half cents is in full of my share of the debt due
by the said estate to Margaret Smith and assigned by her to myself and
my sister Mrs Georgia F Corbin Boulware and twenty one dollars and twenty five
cents in full of my share of the first distribution of the proceeds of the
sale of land made under decree of said Court in the said suit

Gracie T. Bell

N. B. Bell

Recvd February 12th 1901 of R A Edwards attorney in fact for Boyce Bell with the will annexed of Madison Gwaltney the sum of two hundred and forty nine dollars and eighty five cents in full of the second and final distributive of the proceeds of sale of the tract of land under decree of March 24th 1894 of the Circuit court of Dist. of Wright county in the suit in chancery of N B Bell and wife and others plaintiffs and R A Edwards as executor of Madison Gwaltney and others defendants

witness Gracie T. Bell

N. B. Bell

Pierce Fla May 15th 1901 F. P. & Edwards owner of the following described town
lots and tracts and was holds in block of my subdivision shown in the
1st subdivision of the proceeds of sale of lands and twenty ~~four~~ and fractional
~~one~~ lands also shown in the second subdivision of same said lands of
the Brevard Coast of Fla of Bright County in Dist of Bell Grove Fla as
in Envelope above Fla.

F. P. Warren

Received Feb. 16th, 1901 of R. A. Edwards, Administrator of the estate of Madison Gwaltney Deceased, the sum of Two hundred and forty nine dollars and Eighty five cents, being in full of my share of the second and final distrubution of the net proceeds of the sale of the land of Madison Gwaltney deceased. in the suit of Bell & wife Jellison vs Gwaltneys others

and Others

John W. Cofer

Georgie F. Cofer.

6545 3
2498

388.68

2498

Received February 22nd 1900 of R A Edwards attorney in fact for Mrs Nola A Delk and on behalf of said Mrs Nola A Delk one hundred and twenty four dollars and ninety eight cents in full of the second and last distributive share made under decree of the Circuit Court of Isle of Wight county in the suit of A R Bell &c vs Mrs R A Edwards attorney &c Mrs Nola A Delk

$124.98
2.18
$127.16

11
12
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242
2495
2,16

Recvd upon 20th/705 of P.A. Edwards admr of Matthew Gwaltney dcsd Jno Bell
Wm and Wood as Sheriff each, on 1st distribution and Jany term 97/1000 Blue Cross
in full of 2nd distribution of proceeds of sales in suit of Bell and wife and others vs
Gwaltney admr and others in Circuit Court of Isle of Wight county.

J. M. Branch

To the Circuit Court of Isle of Wight County

Pursuant to a decree of the said Court rendered on the 24th day of April 1899 in a suit in Chancery pending therein between A B Bell and wife and others, Plaintiffs and R A Edwards administrator de bonis non with the will annexed of Madison Heathcock deceased and others Defendants, the undersigned Commissioner in Chancery who was directed by the said decree to collect the sales bonds of A B Bell and after paying the unpaid costs of the suit and the balance on the debt of said Madison Heathcock due to Margaret Smith reported in Commissioners Report filed October 12th 1898 to pay five Eighths of the remainder to Grace J Bell wife of the said A B Bell, five Eighths thereof to George F Cobbs wife of John W Cobbs, one hundred fourth part thereof to James M Branch, one hundred fourth part thereof to John James, one hundred fourth part to J L Warren and one hundred fourth to the legal guardian of Caroline E Heathcock reports to the Court that on the 20th day of February 1900. he collected the sales Bond first due and has the interest due of the following,

Sales Bond due December 25th 1894 principal			564	49
Interest from May 3 1898 to February 20th 1900			40	92
Paid to Grace J Bell and George F Cobbs assignees of Margaret Smith balance due May 18th 1846 on Madison Heathcocks Bond $446.59 Int to Feby 20th 1900 44.50			605	41
Less			546	09
			59	32
Paid balance due attorney on last report 5.96 Int 38		6 34		
Commissions on $40 pr ct		2 04	8	38
			51	94
Paid Grace J Bell		21 25		
" George F Cobbs		21 25		
" James M Branch		2 17½		
" John James		2 12½		
" J L Warren Paid L P Atkinson atty		2 12½		
" Caroline E Heathcock		2 12½		
		51 00	51	00
Received on 2nd Sales Bond principal 564.49 Int to Feby 17/01 7.04			571	53
To Commissions on $71.04		3 70		
" Paid Clerks Salaries N. F. Young		4 96		
" Paid Taxes for 1899		1 24 3		
" Returned to Registrars for 1900.		5 71		
" Working expenses and two on deed Paid Atkinson		12 10	27	94
Net cash on hand.			543	59

Amt brought forward 599 63

Paid Isaac T Bell	✓	24 4 85/2	
" Thomas F Cope	✓	24 4 85/2	
" James M Branch		24 98	
" Isaac Worthington Colesberry	✓	24 98	
" J H Warner Pilot Eng R Atkinson atty	✓	24 98	
" Caroline E Bowles proximity Inspection	✓	24 98	
		599 63	599 63

The Commissioners have not been able to pay the taxes for 1900 for the reason that they were not ready with where to pay the Inheritance Tax and he has been told that no taxes have been assessed against him as commissioner have he therefore returns the amount which he believes is correct, and asks the matter to the court

He further reports that notice having been given to him that Caroline E Bowles was married 21 years of age and has waived her right to share in the said taxes to him.

Respectfully A. Edwards Deputy Collector

To the Honorable Court of Isle of Wight county.

The undersigned, administrator de bonis non with the will annexed of Madison Gwaltney deceased, who was directed by a decree of the court aforesaid rendered on the 24th day of October 1898, in a suit in chancery pending therein between A B Bell and wife and others, pl'ffs and Caroline E Gwaltney and infant by R P Thrower her guardian ad litem, defendants to sell that part of the tract of land in the proceedings mentioned of which the said Madison Gwaltney died seized, lying the two thirds thereof which he decreed to be sold for the benefit of his children Victoria E Gwaltney, Georgie F Gwaltney and Grace T Gwaltney, reports to court that after advertising the time, place and terms of sale as prescribed by the said decree he offered the said land for sale at public auction at Isle of Wight courthouse on the 3rd day of December 1898, that being court day and A B Bell having bid those for the sum of twelve hundred and seventy dollars which was the highest bid made and the purchaser thereof, and paid the sum of one hundred and forty one dollars and two cents in cash, and together with Grace T Bell and P D Gwaltney as his sure ties executed and delivered to the undersigned two bonds for the sum of five hundred and sixty four dollars and forty nine cents each with interest thereon from date bearing date on the said 3rd day of December 1898 and payable respectively one and two years after that day, in accordance with the terms of sale. as follows.

Amount of Cash payment	141	02
One bond payable one year after date	564	49
One bond payable two years after date	564	49
	1270	00

The said bonds are filed and returned herewith.

The undersigned further reports that he has paid as follows, to wit

Commissions Ro A Edwards Supp'l	63	50
Paid Attorneys fee Hardy Cowling Paid Geo R Atkinson	21	50
" Clerks fees N. F. Young	7	11
" Geo Boykin Pd R. C. Boykin	2	50
" Sheriff Ro A Edwards Supp'l		50
" Crier N. R. Whitehead	2	50
" Delinquent Taxes 1897 1579 2209	7	87
" for Hand bills Paid Geo R Atkinson	1	00
	147	98
From which deduct the cash payment	141	02
leaves ~~one dollar~~ now paid.	5	96

The vouchers for said payments are herewith filed,

All of which is respectfully submitted,

Ro A Edwards admr

Recvd Decr 5th 1899 and Decmbr 5th 1900. The Bank Board of N B Bell Envrs J Bell and P Browning to Chas ~~Decmbr 5th 1898~~ January 24th 1899 for the pay ment to R A Edwards commissioner of Madison Co Kentucky, deed conveying the sum of Five hundred and sixty four and 44/100 Dollars with interest thereon from the 5th day of ~~Decmbr~~ December 1898 and payable one and two years from the 5th day of December 1898 respectively.

Bell Bonds & Mtgs

No

Recording Clerks Office.
Bulletin of Sales.
and Mortgages.

Compared April 24th 1899

Statement.

By aggregate Principal of 6 ntn bonds.		430.04
" interest in dance		187.07
To pair A.S Evans. Clerk, Circ	19.65	
" " for deed to purchaser	10.00	
" Balance	587.46	
	$617.11	$617.11
By balance to be distributed brot down.		587.46
To pair J.L. Warren. 1/4 part	146.86	
" " M Smith 1/4 "	146.87	
" bal. of 1/2 due est of M. Gwaltney	293.73	
	$587.46	$587.46
By share of M Gwaltney's est brot down.		293.73
To pair pro rata share of Margaret Smith's debt debt. 36 3/4% of $745.99	274.23	
" pair pro rata share of Oceana Gwaltney's debt. for $53.44	19.50	
	$293.73	$293.73

I hereby certify that the foregoing is a true extract from a report filed May 30. 1898. by W.B. Clarke. Special Commissioner of the Circuit Court of Surry County. in the suit of Margaret Smith against M. Gwaltney's heirs - in the

papers of said Suit. which report was confirmed by a decree pronounced in said Suit on the said 30 day of May 1898. And I further certify that the receipt of said Mary and Smith and that of said Oceanna Greathey for all payments so made therein and reported in said statement, are filed with said report

Given under my hand this 17 day of December 1898

A.D. Ferrand. Clerk
of Surry Circuit Court

The Amt. (Dr. to Clerk) makes the sum due Mrs. Smith from estate of Dr. Gwathney on 17th Dec. 1896. to be $745.99. and the only payment made her in said Suit on account of said Gwathney's estate. was $274.23. paid Dec 17. 1896. as shown by receipt of Mrs Smith. Said that day - this amt. as you will perceive. did not pay the interest due her - The figures are all taken from the record after suit of Smith v Gwathney. was ended and removed from the docket.

A.D. Ferrand. Clerk

Judge. Calculate interest on $441.93 from Jany. 7. 1879
From Feby 15. 1884. to date of payment
and credit with $46.03 as of June 25. 1887
and $274.23 as of Dec 17. 1896 (paid her in above suit.
and the balance will be what is due Mrs. Smith now - as
the papers show on other payment made her -

A. S. E

D OTHER WRITINGS

During and Since the..... Ter

of Recordation.	Nature of Writin

Bell et als vs. Swaltzing et als

Bill of costs

Atto fee & tax	16.50
Clerk's fees	7.11
Sheriff "	.50
Corra Boykin	3.00

to Oct Term 1898.

Mr. Madison Gualtney's Est., Hardy 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 284 acres Land, value $ 1704	5 11	1 20	5 68	85	85	85	
" acres Land, value $							
" acres Land, value $							
" acres Land, value $							
" Personal Property, value $							
" Capitation Taxes	1 00		50				
" Income $							
Total							15 04
5 per cent. additional							75
Total							$ 15 79

Received payment 22 day of Apl 1899 J W Roberts Treasurer,

Per

Yazoo 1.85
Issaq 3.71
Alkfa .52
$2.2.08

Recived of R. A. Edwards admr. with the will annexed of Madison Goulding deceased the sum of $22.08. to pay delinquent taxes for 1895 purchased by the Comsh for the year 1896.

Test A. J. Young o.d.

April 24/99

NOTICE!

SALE OF LAND IN ISLE OF WIGHT COUNTY.

Pursuant to a decree of the Circuit Court of Isle of Wight County rendered on the 24th day of October, 1898, in a suit in chancery pending therein between N. B. Bell and wife and others, plaintiffs, and R. A. Edwards, Sheriff of said County, and as such administrator, de bonis non, with the will annexed of Madison Gwaltney, deceased, and others, defendants, the undersigned Sheriff and Administrator aforesaid will offer for sale at Public Auction at

ISLE OF WIGHT COURT HOUSE,

On Monday, Dec. 5th, 1898,

All that portion of the tract of land containing 284 acres, of which Madison Gwaltney died seized, situated in the County of Isle of Wight and State of Virginia, adjacent to the lands of Matthew Delk, Robert Stallings, E. B. Bell and others, being the two-thirds of the said land devised by the said Madison Gwaltney to be sold for the benefit of his children, Antoinette C. Gwaltney, Georgie F. Gwaltney and Grace T. Gwaltney, and comprising all of said tract of land except the part thereof which has been assigned as dower to his widow, Mrs. Oceana C. Gwaltney, including the right of the said doweress to get all necessary trash, firewood and rail timber for said dower land off any of the wood land south of the county road.

TERMS:—Cash for so much of the proceeds of sale as may be necessary to pay the costs of suit and sale; the remainder to be paid in one and two years from the day of sale, the purchaser to give two bonds of equal amounts with sufficient security and waiver of homestead exemption, payable one and two years from the day of sale respectively, with interest from sale; and title to be retained until the further order of the court.

R. A. EDWARDS,

Oct. 31st, 1898. Sheriff and Administrator.

JOHNSON & CO., PRINTERS, SMITHFIELD, VA.

Ebba Ryerson
Ward Frank
Summons

$29 65-

Dec. 11 Received of Mrs. Margaret Smith the sum of $29 65- in full of costs of suit of Smith v. Granting Lic under Decree dismissing of Nov. term 1896.

C. P. Blackmore.
Sp. Comm.

Memo.-

Balance due Mrs. Smith as auditor of Madisons Granting store as of Dec 19th 1897 3 bbl 62

26	25	24	23	22	21	20	19	18	17	16	15	14

8

9 Entered December 5th 1898 J A B Bell in full of

10

11 Entered December 5th 1898 J A B Bell the sum of One

12 hundred Dollars and Ten cents the sixth payment of the pro-

13 ceeds this day paid under decree of the Circuit Court of

14 the United States October 7th 1898 in the suit in Chancery pro-

15 J B Bell and wife and others against the Atlanta & Florida R

16

17

18

19

20

Bell and Wife et als.

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

Gwaltney's Admr et als.

The undersigned R.E.Boykin,a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight,to whom,as a Commissioner of said Court, was referred the following accounts

First. An account of the fee simple and annual value of the tract of land in the bill mentioned of which Madison Gwaltney died seised and possessed; of the two thirds thereof which he devised to be sold for the benefit of his children,Antoinette C.Gwaltney,Georgianna F.Gwaltney,and Grace T.Gwaltney,and of the annual and fee simple value of the one third thereof assigned to his widowand devised to be sold for the benefit of his children,Antoinette C.Gwaltney Georgeianna F.Gwaltney,Grace T. Gwaltney and Caroline E.Gwaltney.

Second. Whether the said tract of land as a whole,or the said two thirds thereof,or the said one third thereof is capable of partition in kind among the parties entitled thereto,or will the whole or either of the said parts be accepted by any party who will pay to the other parties sumch sums of money as their interests therein may entitle them to,or whether it will be to the interest of the parties that sale shall be made of the entire subject,as a whole or said parts separately,or allotment of part and sale of the residue.

Third. An account of the debts unpaid against the estate of the said Madison Gwaltney,or his estate,with their priority and dignity

Fourth. Whether there is any lien for unpaid taxes on account of the said land,or any part thereof having been sold for taxes ,or otherwise on said land or any part thereof.

Fifth. Any matter specially stated deemed perninet by the

Commissioner or required by any party to be stated.

Your Commissioner would respectfully report that in obedience to the said decree, a copy of which is herewith returned as a part of this report, having given due and legal notice of the time and place of taking the said account, which notice is in like manner herewith returned, he reports as follows.

First. That the annual value of the land of which Madison Gwaltney died seized and possessed, in the complainants bill mentioned, subject to the dower therein of the widow of the said Madison Gwaltney, is $1200.00, and its annual value is $80.00..

That the fee simple value of the two thirds thereof, devised as aforesaid, is $800.00, and its annual value $80.00. That the fee simple value of the one third of said land assigned as dower to the said widow, and at her death devised to be sold as aforesaid is, subject to the life estate of the said widow, $400.00.

Second. That neither the said land as a whole, or the two thirds devised as aforesaid, nor the one third thereof assigned as dower to the said widow can be conveniently be divided in kind without great loss or injury to the parties, and that none of the parties will take the same or any part thereof and pay to the other parties the several amounts to which their interests may entitle them, and those it is to the interest of all the parties that the entire land be sold & the proceeds divided among the parties entitled thereto as their interests may entitle them.

Third. The only debt which has been proved before your Commissioner, due by the said Madison Gwaltney or his estate, is a balance due on a bond executed by the said Madison Gwaltney, and payable to Margaret Smith, which has been proved in a suit in chancery brought in the Circuit Court of the County of Surry by the said Margaret Smith against the estate of the said Madison Gwaltney, upon which there was a balance due as of Decr 19th 1897 of $364.62.

Fourth. That the taxes upon the said lands, and each part there of, have been regularly paid and no part thereof has been sold for taxes, nor is there any lien thereon for taxes. except fro the year 1998, which last mentioned taxes amount to

All of which is respectfully submitted.

R. E. Boykin
Comm in Chy

Time employed
4 hours. Fee $3.00.

Bell et als.

Vs. In Chancery.

Swaltney's Admr et als.

Commissioner Boykin's Report

Filed October 12th 1875

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300½.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon R. F. Edwards adm'r. de bonis non with the will annexed of Madison Gwaltney, deceased, and Carrie Gwaltney (an infant under 21 years of age)

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said court on the First Monday in April 1898, to answer a bill in chancery exhibited against them in our said court by N. B. Bell and Grace T. his wife, John W. Cofer and Georgia his wife R. C. Jones and Nola his wife, J. L. Vaughan and James M. Branch

And have then there this writ. Witness, N. F. Young, Clerk of our said Court, at the court-house, the 29th day of March 1898, and in the 122 year of the Commonwealth.

A copy Test N. F. Young c.c. N. F. Young c.c.

Form No. 300½.

N. 73 Bill of Sale

vs. { SUBPOENA IN CHANCERY.

Gurlalling, admr et al

Atkinson *p. q.*

To 1st April *Rules.*

Circuit *Court.*

1898

Legal service of the
No. A. Ecclesiastes
Subpoena
& Complaint
& Summons
Attest

The answer of R S Thomas guardian ad litem to the infant defendant and Bowlan E Knowlting and the answer of the said infant defendant Bowlan E Knowlting by the said R S Thomas his guardian ad litem to the bill of complaint against the said Bowlan E Knowlting and others in the Circuit court of Isle of Wight county by H B Bell and Lucie J his wife John W Boyd and Lucy Jane his wife James W Branch, R B Jones and Ada his wife and J H Moore

For answer to the said bill the said guardian ad litem answers and says that he knows nothing of the truth or falsity of the statements in the said bill and the said defendant by his said guardian ad litem answers and says that being an infant of tender years he knows nothing of the matters contained in the bill and commits the protection of his interest to the Court and now hereby answers they pray &c.

R. S. Thomas guardian
ad litem of Bowlan E Knowlting.
Bowlan E Knowlting by
R. S. Thomas
his guardian ad litem

Isle of Wight county, to wit

This day personally appeared before me the undersigned a Commissioner in Chancery of the Circuit court of Isle of Wight county R S Thomas guardian ad litem of Bowlan E Knowlting and made oath that he believes the several statements in the foregoing answer to be true

Given under my hand this 9th day of July 1898

Jno R Atkinson Comr

Bill b wirfe d Flus

32	31	30	29	28	27	26	25	24	23	22½	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1

Anzahl der Fälle
Lösungsversuch

To the Honorable Robert R Prentis Judge of the Circuit court of
Isle of Wight ~~complainant~~

Complainant Lucretia sets up your honor your com-
plainants A B Bell and Grace J his wife, John W Bohn and Georgianna F his
wife, James W Branch, R C Jones and Nola his wife and J L Warren, That
Madison Lewellen late of the county of Isle of Wight and State of Virgin-
ia, who was the father of your complainants Grace J Bell and Georg-
anna F Bohn, and of the defendant hereinafter named Robert C. L.
Lewellen was the grandfather of your complainant James W.
Branch, died in the year 1884 after making and publishing his last
will and testament which was duly admitted to probate in the Coun-
ty court of the county aforesaid on the 3rd day of January 1885, as
appears by a duly certified copy of the said will and of the certificate of
the probate thereof, marked A and herewith filed as a part of this bill.
That the said testator by the said will devises his executors to sell Two
thirds of his real estate or any part thereof (excepting any part of the said
~~Two~~ thirds) on the terms on the same, or such the same with as
they may think proper or best to do, for the benefit of his three
children, Lucretia B, Georgianna F (called Georgie F in said will)
and Grace J Lewellen and directs that at the death of his wife
the remainder one third shall be sold and divided between his
four children, Lucretia B, Georgie F, Grace J and Robert C Lewel-
len.

That at the death of the said testator he was seized of a tract of
land situate in the county aforesaid containing 284 acres more or
less, and was adjoining the lands of Matthew Bell, Robert Powell exp
Eliz Bell, Joseph Little and others and that the lower of Grace J
Lewellen the widow of the said Madison Lewellen in the said
land has been ~~has been~~ duly assigned to her by commissioners appoint-
ed by the county court of Isle of Wight county as will appear by the or-
der of the said court appointing commissioners marked B, of the
report of the said commissioners marked C, and of the order of the

1 and court conforming the said report marked D filed herewith as
2 part of this bill.
3 That the said testator nominates and appoints R E Boykin and L H
4 Swaitney to be the executors of his last will and testament but they
5 refusing to act as such, the administration of his estate with the will an
6 nexed was granted unto Deanna L Swaitney his widow and she has
7 any afterwards resigned her said administration the same was com
8 mitted to R A Edwards the Sheriff of the said county, as will appear
9 by duly certified copies of the orders of the county court of said
10 Wright county marked E and F and filed with this bill as part thereof
11 to which orders the said Deanna L Swaitney during her administration
12 of the said estate was by the said R A Edwards the present administrator
13 duly and the same as any part thereof since
14 That the said Marion Swaitney was married four times and was by his first F
15 wife a daughter who was named to one James Branch and died leaving
16 one child who is your complainant James M Branch.
17 There was no issue by his second marriage. The aforesaid Deanna L
18 Swaitney and your complainants Georgeanna F Cobb and Grace I Bell
19 were the issue of the third marriage and their mother being a widow
20 at the time of her marriage with the said Madison Swaitney, having two
21 children by her former husband to wit your complainants J A Edwards
22 and Viola Jones the wife of the said R Jones are the sisters of the half
23 blood of the said Antoinette L Swaitney Georgeanna F Cobb and Grace
24 I Bell on the part of their mother, and the said Benjamin E Swaitney
25 is the issue of the fourth marriage.
26 That the said Antoinette L Swaitney Georgeanna F Cobb Grace I Bell were
27 at the time of their father's death infants under the age of twenty one and
28 the said Benjamin E Swaitney is yet a minor, but the three former have
29 attained majority and the said Antoinette L Swaitney has since their
30 coming to her only sisters and mother Rekin, her sisters of the whole blood
31 your complainants Georgeanna F Cobb and Grace I Bell, her brother and
32 sister of the half blood on the part of their mother your complainants J A

Thomas was seized & possessed for estate of the half blood on the part of his father the defendant Thomas after named the said Caroline E Broadway and her nephews of the half blood on the part of the father your complainant and James M Branch

Your complainants are informed and do charge that by the proper construction of the deed with the said Antoinette E Broadway and your complainants Thompson F Cooper and Grace I Bell were each entitled to one third of the two thirds of the said land and that the said Antoinette E Broadway Thompson F Cooper, Grace I Bell and Caroline E Broadway were each entitled to one fourth of the said remaining one third share of that the shares of the said Antoinette E Broadway has the said is to her heirs at law and next of kin as hereinbefore mentioned and specified: and that they are entitled to have the said land sold and the proceeds thereof arising the said parties according to their respective interests therein. In tender consideration whereof and forasmuch as your complainants have to, we, revert steps in the premises, & can by the aid of a court of equity where matters of this nature are properly cognizable and relievable your complainants pray that the said R A Edwards administrator with will annexed of Madison Broadway deceased and Caroline E Broadway who is an infant under the age of 21 years be made parties defendant to this bill and be required to answer the same, that a proper guardian ad litem be assigned the infant defendant to defend her interest in this suit; that the said R A Edwards administrator as above and be required to sell the said land and divide the proceeds thereof among the parties entitled thereto according to their several rights therein, that a reasonable fee be allowed the attorney for his services in the cause and that such other further and general relief may be afforded your complainants as the nature of their case may require or to equity shall seem meet. And your complainants will ever pray &c

Geo P Atkinson Sol.

Bell and wife & als

Bill of Complaint

| | | |