1903-008 Chancery Causes: M. F. Vellines, M. J. Vellines vd vs R. S. Thomas,
Dsh of Wight County extor of William A. Womble vd

other surnames: Carroll, Cofer, Batten, Holt, Dey, Stott, Delk

W. S. Hallard & E

October Term 1903. Final Decree

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 17.

M. F. Vellines et. als.

against

Womble et als

To First April Rules, 1903

Bill of Complaint

1st April rules 1903 Bill & Exhibits filed: Sum: issued & executed on all defts except J. P. Womble and Eora P. Womble. Dem. nisi vs. all defendants on whom process has been executed and alias sum. vs. J. P. Womble & Eora Womble.

2d April rules 1903. Bill taken for confessed as all defts except J. P. Womble & Eora P. Womble, alias vs. them returned not executed and pluries issued vs. them

1st March rules 1903 sum: issued etc as to J. P. Womble & Eora Womble, dem. nisi as to them.

2d March rules 1903. set for hearing as to J. P. Womble & Eora Womble

and general relief may be afforded your complainants as the nature of their case may demand, or to equity shall seem meet. And your complainants will ever pray, etc.

M F. Villines et als
by W S. Noland their Atty.

TO THE HONORABLE, ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

M. F. Vellines and M. J. Vellines her husband, B. Frank Womble, Robert Carroll, A. J. Cofer, H. C. Cofer, Baxter Batten, E. P. Holt, Henry W. Holt and M. L. Dey,

Vs

R. S. Thomas, Executor of W. A. Womble deceased, Virginia W. Delk, and S. Edgar Delk her husband, Robert E. Womble, Ida M. Stott and A. B. Stott her husband, Theodosia E. Womble, M. C. Womble, J. P. Womble, Evra P. Womble and Georgia Womble,

Your complainants, M. F. Vellines and others mentioned in the caption of this bill of complaint, hunbly complaining, show to the Court, that they are some of the heirs at law and distributees of W. A. Womble who recently departed this life possessed of real and personal property. Your complainants and the defendants hereinafter named are the heirs at law and distributees of the said W. A. Womble deceased, Your complainants believe that the said W. A. Womble died intestate. Since his death, a paper writing purporting to be his last will and testament has been admitted to probate in the County Court of Isle of Wight County whereby he gives all of his property to the defendants hereinafter named, who are the children of one of his brothers, failing to pay any attention in the said paper writing to others who were of the same kin and much beloved by him; the order admitting the said paper to probate was made on the 2d day of June, 1902. An attested copy of the said paper to which is added the said order of the County Court of Isle of Wight admitting the said paper to probate is herewith filed, marked "Exhibit A" and is prayed to be taken and read as a part of this bill of complaint. R. S. Thomas who was named as Executor of the said paper writing has qualified as such, and as your complainants believe has sold the property or the

greater part of the property belonging to the said deceased, that a protion of the property of the said deceased they believe has been delivered in kind to some of the defendants. Your complainants charge and allege that the said paper writing aforesaid of which probate has been made, is not the will of the said decedent, W. A. Womble.

Your complainants are advised that they are entitled to an injunction to restrain the defendants from parting with any property in their possession or in their hands till the further order of the Court in this case.

In tender consideration whereof, and for as much as your complainants are without remedy save in this honorable Court where matters of this sort are alone and properly cognizable, they pray that R. S. Thomas. Executor of W. A. Womble deceased, Virginia W. Delk and S. Edgar Delk her husband, Robert E. Womble, Ida M. Stott, and A. B. Stott her husband, Theodosia E. Womble, M. C. Womble, J. P. Womble, Evra P. Womble and Georgia Womble, be made parties defendants to this bill of complaint and be required to answer the same, but an answer on oath is hereby expressly waived and this merely as a step or a part of this proceeding to obtain a trial before a jury; that proper process issue; that an issue devisavit vel non be made up and tried by a jury at the bar of this Court, to ascertain and try whether the said paper writing admitted to probate as aforesaid is or is not the true last will and testament of the said W. A. Womble deceased; that said probate be set aside; that the paper writing be declared and decreed not to be the last will and testament of the said W. A. Womble; that an injunction may be awarded by this Honorable Court, or the Judge thereof in vacation, enjoining and restraining the defendants, or anyone or more of them from disposing of any of the property in their hands and from doing anything to prevent the personal representative of the said W. A. Womble when any such fiduciary shall be appointed and qualify from getting into his hands or getting possession of any property of the said W. A. Womble deceased; and that all such other further

Wellings etals

vs. { SUBPOENA IN CHANCERY.

Womble etals

Wm S. Holland p. q

To 1st April Rules,

Circuit Court.

1903

B 3319

Executed by delivering a
O Stewart Esq. H. Register
Clerk. Ds. & mileage Sgt. W
50, counsel Mr. C. Clark
counsel each & two
Executors, Sgt & the
the writer mailed. Ex
Copy & procedure to
Clerk Circuit Court
Ds, A Stewart

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon R. S. Thomas, executor of W. A. Womble, deceased; Virginia W. Delk, and S. Edgar Delk her husband; Robert E. Womble; Ida M. Stott, and A. B. Stott her husband; Theodosia E. Womble, ~~H. H. Womble~~; M. C. Womble; J. P. Womble, Eura P. Womble and Georgia Womble

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the First Monday in April 1903, to answer a bill in chancery, exhibited against them in our said court for by M. F. Vellines and M. J. Vellines her husband; B. Frank Womble, Robert Carroll, A. J. Cofer, H. C. Cofer, Baxter Batten, E. P. Holt, Henry W. Holt and M. L. Day

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 6th day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young c.c.

Vellines etals

vs. { SUBPOENA IN CHANCERY.

Womble etals

Wm S. Hallam p. q

To 2d April Rules,

Circuit Court.

1902

B 3119

Not found & no in
habitant of my Co.
Ro A Edwards
Spe 20 4/03 Sh'ff

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon again R. S. Thomas executor of W. A. Womble deceased Virginia W. Delk and S. Edgar Delk her husband, Robert E. Womble Ida M. Slatt and J. B. Slatt her husband, Theodosia E. Womble, M. C. Womble J. P. Womble Eora P. Womble and Georgia Womble

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 3d Monday in April 1903, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by M. F. Vellines and M. J. Vellines her husband, B. Frank Womble, Robert Carroll, A. J. Cofer, H. C. Cofer, Baptie Batten, E. P. Holt, Henry W. Holt and M. L. Day

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 9th day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young C.C.

vs. { SUBPOENA IN CHANCERY.

..... p. q

To..... Rules,

..... Court.

B 3119

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon R. S. Thomas executor of W. A. Womble deceased, Virginia W. Delk & Edgar Delk her husband, Robert E. Womble, Ida M. Stoll & W. B. Stoll her husband, Theodosia E. Womble, W. C. Womble, J. P. Womble, Eva P. Womble and Georgia Womble

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 2d Monday in April 1903, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by M. F. Vellines and M. J. Vellines her husband, D. Frank Womble, Robert Carroll & J. Cofer, W. C. Cofer Barton Batten, E. P. Holt, Henry W. Holt and M. L. Dey

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 9th day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young cc.

A copy Teste N. F. Young, cc.

vs. { **SUBPOENA IN CHANCERY.**

p. q

To ..... *Rules,*

..... *Court.*

B 33119

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon R. S. Thomas executor of W. A. Womble deceased, Virginia W. Delk and S. Edgar Delk her husband, Robert E. Womble, Ida M. Stott and A. B. Stott her husband, Theodosia E. Womble, M. C. Womble, J. P. Womble, Eva P. Womble and Georgia Womble again

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 2d Monday in April 1903, to answer a bill in chancery, exhibited against them in our said court by M. F. Vellines and M. J. Vellines her husband, B. Frank Womble, Robert Carroll, A. J. Cofer, A. C. Cofer, Baxter Barton, E. P. Holt, Henry W. Holt and M. L. Dey.

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 9th day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young c.c.

A copy Teste N. F. Young c.c.

M. F. Vellines et als

vs. { SUBPOENA IN CHANCERY.

Womble et als

p. q

To ..... Rules,

..... Court.

B 33119

Evera P Womble is
dead when in South
Carolina. Dr. J. O. Womble
Decd

I accept- hereservice of this
Summons

sign Evera Womble

I hereby accept service of the within writ
and waive service thereof by an officer.

The Commonwealth of Virginia,

Sergeant of City of Newport News
To the ~~Sheriff of the County of Isle of Wight~~, Greeting:

WE COMMAND YOU that you summon R. S. Thomas, executor of W. A. Womble deceased, Virginia W. Delk and S. Edgar Delk her husband, Robert E. Womble, Ida M. Stott and A. B. Stott her husband, Theodosia E. Womble, M. C. Womble, J. P. Womble, Eva P. Womble and Georgia Womble

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the First Monday in May 1903, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by M. F. Vellines and M. J. Vellines her husband, B. Frank Womble, Robert Carroll, A. L. Cofer, V. C. Cofer, Baxter Batten, E. P. Holt, Henry W. Holt and M. L. Dey

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 23d day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young cc

M. F. Sellmer et als

vs. { SUBPOENA IN CHANCERY.

Womble Tals

Wm. L. Holland p. q

To 1st May Rules,

Circuit Court.

B 33119

Executed this the 27th day of April 1903. by delivering a true copy of the within Summons to J. P. Womble in person within the city of Newport News. Va.
Evans P. Womble not found in my bailiwick.
O. H. Hilstead Sergeant of city of Newport News Virginia
By L. A. Curtis. Deputy Sgt.

The Commonwealth of Virginia,

Sergeant of the city of Newport News

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

WE COMMAND YOU that you summon R. A. Thomas executor of W. A. Womble deceased, Virginia W. Delk and S. Edgar Delk her husband Robert E. Womble, Ida M. Stott and A. B. Stott her husband, Theodosia E. Womble, M. C. Womble, J. P. Womble, Eva P. Womble and Georgia Womble,

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the First Monday in May 1903, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by M. F. Vellines and M. J. Vellines her husband, B. Frank Womble, Robert Carroll, A. J. Cofer, N. C. Cofer, Baxter Barton, E. P. Holt, Henry M. Holt and M. L. Day.

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 25 day of April 1903, and in the 127 year of the Commonwealth.

N. F. Young cc.

A copy Teste N. F. Young cc.

CONTROVERSY.

_____

_____ } SUBPOENA FOR WITNESS.

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Tom Vellines,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants.

in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C.C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Jim Porter,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 25th day of October, 190 3, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

E. F. Vollmer, et als., Plaintiff s,

and

E. H. Thorne, Executor, et als., Defendant s:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 31st day of October, 190 3, and in the 127th year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C. C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon O. L. Batten,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 20th day of October, 190 3, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

W. F. Vallines, et als., Plaintiffs,

and

R. H. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st day of October, 190 3, and in the 128th year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, Test. N. F. Young, C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon L. P. Roberts,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th day of October, 190 3, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st day of October, 190 3, and in the 128th year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy/ N. F. Young C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Robert Hall

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th day of October, 190 3, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 190 3, and in the 128th year of the Commonwealth.

N F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy N. F. Young C.C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Frank Porter,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th day of October, 190 3, to testify and the truth to say in behalf of the Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st day of October, 190 3, and in the 128th year of the Commonwealth.

N F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

We Command you to summon Wm. N. Pierce,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 30th day of October, 190[illegible], to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

N. F. Vallines, et als, Plaintiff, and

B. B. Thomas, Executor, et als., Defendant:

And have then there this writ. Witness, Nathaniel F. Young, Clerk of our said court, at the court-house, the 31st day of October, 190[illegible], and in the 12[illegible] year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young, C. C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Frank Oberry,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als, Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendant:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 190 3, and in the 12 8 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon James Uzzell,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als, Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendant:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Jake Bradshaw,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th day of October, 1903, to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

N. F. Vellines, et als, Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendant:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st day of October, 1903 and in the 128 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C. C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Richard Frazier,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 20th day of October, 190[illegible], to testify and the truth to say in behalf of the

Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

W. T. Vellines, et als, Plaintiffs,

and

E. S. Thomas, Executor, et als., Defendant:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 1st day of October, 190[illegible], and in the 12[illegible] year of the Commonwealth.

W. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young, C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon James Edwards,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants.

in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young C.C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the ____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon A. B. Stott,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants.

in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

N. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, N. F. Young, C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Jno. F. Ramsey,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als. Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, Teste, N. F. Young C.C.

CONTROVERSY.

_____

_____ } **SUBPOENA FOR WITNESS.**

_____

_____

_____ *Court,*

the _____ *day of* _____

*190*____

_____

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon R. T. Dick,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als., Plaintiffs,

and

R. S. Thomas, Executor, et als. Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52788

A Copy, Teste, N. F. Young C.C.

CONTROVERSY.

SUBPOENA
FOR
WITNESS.

Court,

the *day of*

190

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Jno. M. Ballard,

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 1903, to testify and the truth to say in behalf of the Defendants in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vollines, et als., Plaintiffs,

and

H. S. Thomas, Executor, et als., Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 1903, and in the 128 year of the Commonwealth.

N. F. Young, Clerk.

NOTE.—Appear before the Clerk and claim your attendance.

B 52738

A Copy, Teste, N. F. Young C.C.

Dist. Court
R. 57

CONTROVERSY.

~~M. F. Vellines et als.~~

SUBPOENA FOR WITNESS.

Thomas, Executor, et als.

Circuit Court,

the 26th day of October,

1903

Writ executed by order of Deputy Clerk ally R. S. Thomas Oct 27th 1903

Jo A Eaves Jr

Staff

The Commonwealth of Virginia,

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

WE COMMAND YOU to summon Tom Vellines, Jim Porter, O. L. Batten, L. P. Roberts, Robert Hall, Frank Porter, Wm. N. Pierce, Frank Oberry, James Uzzell, Jake Bradshaw, Richard Frazier, James Edwards, A. B. Stott, Jno. F. Ramsey, R. T. Dick and Jno. M. Ballard.

to appear before the Judge of our Circuit Court of the County of Isle of Wight, at the court-house thereof, on the 26th. day of October, 190 3, to testify and the truth to say in behalf of the

Defendants, in a certain matter of controversy in our said court, before the said Judge depending and undetermined, between

M. F. Vellines, et als, , Plaintiffs,

and

R. S. Thomas, Executor, et als, , Defendants:

And have then there this writ. Witness, NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 21st. day of October, 190 3, and in the 128th. year of the Commonwealth.

N. F. Young cc.

NOTE.—Appear before the Clerk and claim your attendance.

B 52788

M. F. Vellines et al

vs

Womble et. al.

Decree

To be entered

Oct. 26th 1903

Robert C. Ellis

C.O.B. 6, page 311

M. H. Villines et. al.

vs.

Womble et. al.

On motion of the Complainants the Court doth order that this Cause be Stricken from the docket.

IN THE NAME OF GOD , AMEN:

I, William A. Womble, of the County of Isle of Wight and State of Virginia, being of sound and disposing mind and memory, do make and ordain, publish and declare this to be my last will and testament, hereby revoking any and all others heretofore, at any time made by me.

ITEM 1. I direct that all my just debts and funeral expenses be paid from and out of my estate.

ITEM 2. I give and bequeath to my niece, Virginia W. Delk, the wife of S. Edgar Delk, the bedstead in my chamber now used by me.

ITEM 3. After the delivery of that bedstead to the said Virginia W. Delk, and after the payment of all of my just debts, I give, bequeath and devise all of the rest and residue of my property, both real and personal, in equal proportions to the children of my brother, E. P. Womble, Viz: Robert E. Womble, Ida M. Stott, the wife of A. E. Stott, Theodosia E. Womble, V. W. Womble, M. C. Womble, J. P. Womble, Evra P. Womble and Georgia Womble.

ITEM 3. I hereby nominate, constitute and appoint my friend Richard S. Thomas Sr. the executor of this my last will and testament: and I give him full and complete power and authority to sell the whole of my personal and real estate at any time, and on any terms, and in any parts or parcels, or as a whole as he may deem best and most advisable, and to make and to give any and all deed or deeds to the purchaser of any part or parcels, or the whole of my real estate; full, complete, and ample power being herein and hereby given to him to sell my real estate as a whole, or in any part or parcels deemed advisable by him.

ITEM 4. I hereby order and direct the said R. S. Thomas, executor as aforesaid, after the delivery of the bedstead aforesaid to the said V. W. Delk, and after the payment of all of my just debts as aforesaid, from and out of the proceeds of the sales of my personal and real estate, and all costs and charges attending the said sale and the settlement in full of my estate, as executor, to pay over the net surplus remaining in equal parts to my said eight nephews and nieces viz: Robert E. Womble, Ida M. Stott, Theodosia E. Womble, V. W. Delk, Mattie C. Womble, J. P. Womble, Evra P. Womble and Georgia Womble, the children of my brother E. P. Womble as aforesaid.

In Witness whereof I have set my hand and seal to this my last will and testament on this the 4th. day of January, A.D. 1899.

W. A. Womble, (SEAL)

Signed, sealed, published and declared by the testator, William A. Womble, as and for his last will and testament in the presence of us, who in his presence at his request and in the presence of each other, have hereunto set our names as witnesses.

E. P. Womble

Thomas his X mark Vellines.

In the County Court of Isle of Wight County June 2nd. 1902, a paper writing purporting to be the last will and testament of William A. Womble, deceased, was presented in Court by the executor named in said will, and proved in part by the oath of Thomas Vellines, one of the subscribing witnesses thereto, and it appearing to the Court that E. P. Womble, the other subscribing witness thereto is dead, J. R. Jordan and N. F. Young were sworn and severally deposed that they are well acquainted with the hand writing of the said E. P. Womble, the subscribing witness aforesaid, and verily believe that the signature of the said E. P. Womble is written in his own hand writing. Thereupon, it is ordered that the said writing be recorded as the true last will and testament of William A. Womble, deceased.

Teste, N. F. Young, C.C.

A Copy,

Teste, N. F. Young C.C.

Exhibit "A"