1904-004 Chancery Causes: Annie Plummer Mitchell & James Southall Wilson, by & c
Dsle of Wight County vs Alida Wilson Jones, John Wilson & al

Petition of Harry M. Mitchell
Petition of Annie Plummer Mitchell, by & c

other surnames: Southall, Atkinson, Ripley, Wrenn, Edwards, Cofer, Ames,

Mitchell et als

vs } Complainants Bill

Wilson et als

Filed July 5th 1900

First August rules 1900
Bill & exhibits filed, summons issued
on all defendants and order nisi
as to them

2d August rules 1900
Defendants answer filed and cause
set for hearing

October term 1900
Forenoon D.

Dec, 1st 1900 vacation
to all D.

June term 1904
Final decree

William L. Folk.
Attorney and Counsellor.
Smithfield, Va.

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Isle of Wight County, in Chancery sitting.

Your Oratrix, Annie Plummer Mitchell, who was formerly Annie Plummer Wilson, an infant upwards of Eighteen years of Age, who sues by Harry M. Mitchell, her husband and next friend, and your Orator James Southall Wilson, her brother, an infant upwards of Twenty years of age, who sues by the said Harry M. Mitchell his next friend, complaining sheweth unto the Court;

1st. That Martha J. Southall and others on the 1st.,day of September A. D. 1888 did convey unto Mary Eliza Wilson, wife of John Wilson "All of that certain piece or parcel of land lying and being in the town of Smithfield, Virginia on which the said J. B. Southall resided prior to his death and then and since known as the Southall or Tan Yard Lot, described in the Deed of A. Atkinson Executor of Thomas D. Ripley, bearing date on the 19th.,day of January A. D. 1855 and duly recorded in the Clerks Office of Isle of Wight County Court in Deed Book 39 page 214 to the said J. B. Southall as " All that tract, lot or parcel of land aforesaid and bounded by the lots of Dr George Wilson, now occupied by Ben Drew by the lands attached to the Old Methodist meeting house, and a branch of Pagan Creek, the boundaries whereof are more distinctly set out in the deed from Wilson & Spratley to Joel Holleman now refered to, and the said lot of land is supposed to contain about nine acres, be the same more or less and is all the land that was conveyed to the said Ripley by Charles F. Wrenn and his wife Emily Which said lot of land was conveyed to the said Mary Eliza Wilson as her sole, seperate, and exclusive property, free from any and

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

all debts of her husband, with full and complete power to use, occupy, rent out, give, devise, grant and convey as fully as if she were a feme sole, as will be seen by the Deed of the said Martha J. Southall and others, herewith filed as an Exhibit, marked "A" and prayed to be taken as a part of this Bill.

2ond. That the lot above spoken of as the "lot of Dr George R. Wilson occupied by Ben Drew" now belongs to the Estate of John D. Chalmers deceased and is occupied by Mrs Mollie P. Chalmers, his widow and children, and the Old Methodist Meeting House is now owned by Browns A. M. E. Church.

3rd. That the said Mary Eliza Wilson departed this life on the 10th.,day of October 1897, after having made and published her last Will and testament, in which she "gave, devised and bequeathed all of my estate real, personal and mixed of every kind, nature and description whatsoever to my children, Alida Jordan Wilson, Georgeanna Wilson, Mary Wrenn Wilson, John Wilson, James Southall Wilson and Annie Plummer Wilson in equal propotions share and share alike" as will appear by a copy of her will herewith filed a as Exhibit "B" and prayed to be taken as a part of this Bill.

4th. That the said Mary Eliza Wilson left no debts and that her estate has been committed to Robert A. Edwards , Sheriff of Isle of Wight Co.,

5th. That the aforesaid John Wilson Sr.,the husband of Mary Eliza Wilson deaprted this life on the 16th.,day of February 1899.

6th. That the said Alida Jordan Wilson did on the 23d day of Aug 1898 marry Charles C. Jones; That the said Georgeanna Wilson did on 11th day of apl. 1899 marry W. C. Ames; that the aforesaid Mary Wrenn Wilson did on the 27 day of July 1900 marry

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ATTORNEY AT LAW
SMITHFIELD, VA.

E. H. Cofer and that the aforesaid Annie Plummer Wilson did on the 8th day of May 1900 marry Harry M. Mitchell.

7th. That Partition cannot conveniently be made of the above mentioned lot of land; that neither the entire subject nor any part thereof can be allotted to any one party, who will accept it and pay therefor to the other parties such sums of money as their interests therein may entitle them to; That the interests of all parties entitled to the said lot will be promoted by a sale of the entire subject and a distribution of the proceeds as they may be respecttively entitled; that all parties in interest are not only willing, but anxious for a sale of the said lot as they each and respectively require their several shares for their several and individual needs and purposes.

8th., That there are no liens, by judgement or otherwise on any of the interests of any of the parties as aforesaid as will appear by the certificate of N. F. Young, Clerk of the Circuit and County C Courts of Isle of Wight County, herewith filed as Exhibit D" and prayed to be taken as a part of this Bill.

In tender consideration whereof and for as much as much as your complainants are remediless in the premises, save by the aid of a Court of Equity, where matters of this sort are alone cognizaable, your complainants pray that Alida Wilson Jones and Charles C. Jones, her husband, that Georgeanna Wilson Ames and W. C. Ames, her husband, That Mary Wrenn Cofer and E. H. Cofer, her husband and John Wilson and R. A. Edwards Sheriff of Isle of Wight Countyand as such Administrator of Mary Eliza Wilson, may be made parties defendants to this Bill and be required to answer the same, an answer under oath being waived; that proper

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

process may issue, that the aforesaid real estate may be divided between the several parties entitled thereto, if the same cannot be conveniently done; that the entire subject or any part thereof may be alloted to any one party who will accept the same and pay therefor to the other parties such sums of money as their interests therein may entitle them to ; that there may be an allottment of part of the said lot and a sale of the residue; that if this cannot be done that there may be a sale of the entire lot and a distribution of the proceeds between the parties respectively entitled thereto according to the previsions of the will of their mother the aforesaid Mary Eliza Wilson; that all proper orders, decrees may be made and that they may have all such other and further relief as the nature of the case may require or to Equity shall seem meet. And they will ever pray etc.

W. L. Folk p. q.

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Jones et als -

vs

Mitchell et als

Petition of W. M. Mitchell

Filed by leave of Court -

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mithhell, their next friend.

Vs.

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of Isle of Wight Co and as such, Administrator of Mary Eliza Wilson: Defts.

The petition of Harry M. Mitchell husband of Annie Plummer Mitchell respectfully represents;

1st. That by an inadvertence he was omitted as a party plaintiff in his own right as husband of Annie Plummer Mitchell; that he thought he was so, and knew not to the contrary until his attention was called to the accidental omission.

2ond. That as an individual and as the husband of Annie Plummer Mitchell he endorses and approves of everything that is said in the bill of complainiant, in the decree of the Court of the 22ond., of October last, and the report of Commissioner Atkinson. Cordially endorsing every thing that has been said and done in this cause and heartily ratifying and confirming the same, he prays that as an individual and as husband of the said Annie Plummer Mitchell he may be admitted as a party plaintiff to this suit.

And he will ever prat etc.,

Harry M. Mitchell.

Subscribed, and sworn to before me this 28th day of November A. D. 1900

R. S. Thomas

Notary Public

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

yearly and make such other application of the funds, whilst she is a minor as the court shall direct of the statute prescribes. That on attaining the age of 21s that she may have delivered unto her the possession of said funds, and that if she should die before attaing that age that the amount remain in hands of the Receiver shall be paid over to those entitled thereto, and she will ever pray and etc.

Hattie C. Ames her next frid

Amaie Plummer Mitchell

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Annie Plummer Mitchell, by W. C. Ames, her next friend

vs

J. W. Mitchell, receiver

To the Honorable Robert R. Prentis

Judge of the Circuit Court of Isle of Wight Co.,Va.

In Chancery sitting.

The petition of Annie Plummer Mitchell by W. C. Ames her next friend respectfully represents to the Court,

1st.That she was born on the 8th.,day of May 1882 and consequently she will be twenty one years of age on the 8th.,day of May 1903

2ond. That on the 8th.,day of May 1900 she married Harry M. Mitchell and is now his wife and that they both are living in the town of Smithfield in the County of Isle of Wight and state of Virginia.

3rd. That under the proceedings of a suit instituted in the Circuit Court of this County under the name and style of Mitchell, et als.vs Jones et alls. she is now entitled to the sum of $800.37 her pro rata share of the sale of a house and lot under the will of her mother, Mary Eliza Wilson deceased, which said sale has been reported and confirmed under the proceedings in the said suit above mentioned.

4th. That she is also entitled to receive the sum of $666.66. out of a certain Bond of one Henry Decker which will mature on the 20th.,day May 1902

5th.That being a minor at the time of her marriage and still being so and being entitled to the proceeds of the sale of the property above mentioned, she prays that J. W. Mitchell the father of her husband Harry M. Mitchell may be appoint a Receiver of the two sums of money above mentioned, that he give such bond as the Court, that he may hold and manage such property and pay over to her the interest on same

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell their nex friend, and Hrry M. Mitchell in his own right. Pltffs.

vs

Alida Wilson Jones and Charles C. Jones,her husband, Georgeanna Wilson Ames and W. C. Ames,her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of Isle of Wight Co. as such ,Administrator of Mary Eliza Wilson decd. Defts.

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Isle of Wight Co.,Virginia.

In Chancery sitting:-In vacation

The Petition of Annie Plummer Mitchell, by W. C. Ames her next friend respectfully represents to this Honorable Court:

1st.That she the said Annie Plummer Mitchell is entitled to the sum of Eight Hundred Dollars and Thirty seven cents ($800.37) as is shown by the report of W. L. Folk Special Commissioner herein and by other proceedings in this cause.

2ond.That she the said Annie Plummer Mitchell is the wife of Harry M. Mitchellas is shown by the Bill of complainants and other proceedings in this cause.

3rd.That, she your petitioner urgently requests that the said Harry M. Mitchell may be appointed a Receiver in this cause to receive the potion or share that she may be entitled to, and that he may be required to give Bond for the due and proper management and protection of the said fund as her interest may require and as is required by a decree entered in this cause bearing date on the 1st day of February 1901

And your petitioner will ever pray,etc etc.

Annie Plummer Mitchell
by Walter C. Ames
her next friend

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Mitchell et als
vs
Wilson et als

Answer of Robert A Edwards, Sheriff and Administrator

Filed August 9th 1900

William L. Folk,
Attorney and Counsellor,
Smithfield, Va.

The answer of Robert A. Edwards, Sheriff of the County of Isle of Wight and as such, administrator de bonis non of Mary Eliza Wilson, to the Bill of complaint, exhibited against him and others in the Circuit Court of Isle of Wight Co.,by Annie Plummer Mitchell and James S. Wilson by Harry M. Mitchell, their next friend.

This defendant saving and reserving all right of exception to the manifold errors and imperfections to the complainants bill, for answer thereto, or to so much thereof as he is advised it is material for him to answer, answering saith;

1st.-That the estate of Mary Eliza Wilson was committed to his hands as the complainants have alledged, in their bill, and that no assets have come to his hands, and that he knows of no debts against the said estate.

And having answered he prays hence to be dismissed, with his reasonable cost, in this behalf expended.

R. A. Edwards Sheriff
of
Mary E. Wilson dec'd

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA

1

Campbell et als
vs
Mason et als

Answer of Defendants

Filed August 9th 1900

William L. Folk,
Attorney and Counsellor,
Smithfield, Va.

entitled thereto, or to the proceeds of the same.

6th.-That partition of the said lot can not be conveniently made between the parties entitled to it; that no one party can, or will, accept the entire subject, or any part thereof, and pay therefor to the other parties the sums of money to which they are respectivly entitled; that that the interest of all parties will be promoted by a sale of the whole lot and a distribution of the proceeds of sale amongst the parties respectily entitled thereto, and for this we are both willing and anxious

And now having answered they pray hence to be dismissed, with their reasonable cost, in this behalf expended.

Alida J. Wilson Jones.

Chas A. Jones

Georgianna Wilson Jones.

W. C. Jones.

Mary Frum Wilson Cofer

E. H. Cofer

John Wilson

by R. S. Thomas, atty.

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

The joint and several answer of Alida Wilson Jones, and Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, and John Wilson to the Bill of Complaint exhibited against them and others in the Circuit Court of Isle of Wight County by Annie Plummer Mitchell and James S. Wilson by Harry M. Mitchell, their next friend.

The Defendants reserving to themselves all benefit and advantage of exceptions to the many errors and insufficiencies in the said Bill contained, for answer thereto, or to so muchthereof as they are advised that itis material for them to answer, answering saith;

1st.-That it is true that the said Mary Eliza Wilson did purchase of Martha J. Southall and others on the first day of September 1888 the lot of land in the Bill mentioned.

2ond-That the George R. Wilson lot, and the old Methodist Meeting House are now owned by the parties respectiv ly as in the said Bill mentionod

3rd.-That the said Mary Eliza Wilson departed this life on the said Oct. 10th 1894 after having first made and published her will as in the said bill mentioned, that there are no outstanding bills against her, and that her husband died on the Feby 9th 1899 as is therein mentioned or alleged.

4th.-That the said Alida Wilson, Georgeanna Wilson, Mary Wrenn Wilson and Annie Plummer Wilson married the said Charles C. Jones, W. C. Ames, E. H. Cofer and H. M. Mitchell ,respectivly as is alleged in the aforesaid bill.

5th-That there are no liens on the said lot of land in the bill mention edby judgement, Deed of Trust,or otherwise against any of the parties

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Executed by delivering to the within Geo. W. Ames & Mary Warren Cofer
E. N. Cofer ~~& John Wilson by his atty.~~
~~R. S. Thomas~~ a true Copy of the
within Notice July 17th 1900.

Ro. A. Edwards Shff.

I acknowledge legal service of the
within. aug 17th 1900.

Ro A. Edwards Shff
by Deputy.

Mitchell et. al.

vs. { Subpoena in Chancery

Mann et. al

Filed Aug. 20th 1900

To Second Judicial Circuit
Circuit Court
1900

Defendants Exhibit
-No 1 to his notice
R. S. Thomas
atty
for Defendants

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, Greeting.

We command that you summon Alida Wilson Jones and Charles C. Jones, her husband, Georgeana Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of Isle of Wight County and as such, Administrator of Mary Eliza Wilson, Decd., to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight, at the Rules to be held for the said Court on the ~~third~~ First Monday in ~~July~~ August, 1900, to answer a bill in chancery, exhibited against them in our said County by Annie Plummer Mitchell, who sues by Harry M. Mitchell, her husband and next friend, and James Southall Wilson an infant, who sues by Harry M. Mitchell, his next friend, and have then there this writ. Witness Nathaniel F. Young, Clerk of our said Court, at the Court House the 6th. day of July, 1900, and in the 125th year of the Commonwealth.

N. F. Young C.C.

Mitchell &c. &c.

vs } Subpoena in Chancery.

Wilson &c. &c.

W. L. Folk, S.D.

To 1st August Rules

Circuit Court

1900

Executed in the City of Norfolk on the 16th day of July 1900 by delivering copies here of to Alida Wilson Jones and Charles C. Jones her husband,

J. F. Lawler Sergt.
City of Norfolk
by C. L. Quinn
Sergt for 10s Fees C. L. Quinn D.

THE COMMONWEALTH OF VIRGINIA,

To the Sergeant of the City of Norfolk, Greeting

We command that you summon Alida Wilson Jones and Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of Isle of Wight County and as such administrator of Mary Eliza Wilson, Decd. to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the ~~third monday in July~~ first monday in augt, 1900, to answer a bill in chancery, exhibited against them in our said court by Annie Plummer Mitchell who sues by by Harry M. Mitchell, her husband and next friend, and James Southall Wilson an infant, who sues by Harry M. Mitchell, his next friend, and have then there this writ. Witness Nathaniel F. Young, Clerk of our said Court, at the Court House the 6th. day of July, 1900, and in the 125th. year of the Commonwealth.

N. F. Young C.C.

9 June 1900

William L. Folk.
Attorney and Counsellor.
Smithfield, Va.

Poughkeepsie N. Y. June 9th.,1900

Mr R. S. Thomas,

Attorney at Law,

Smithfield Va.

Dear Sir:-

Annie Plummer Mitchell and James Southall Wilson have instituted a suit in the Circuit Court of Isle of Wight County Virginia, asking for a decree to sell the House and Lot on Mason Street in Smithfield Virginia, to which said suit I am a party defendent. I do not object to the sale of said House and Lot as its only object is for partition of the interests of the heirs of my Mother Mary E. Wilson, and as at present I am not a resident of the state, and to save expense I hereby request and authorize you to accept and service of process on me as fully as if I were within reach of the Court

Thanking you for your kindness in advance I beg to remain

Your friend

John Wilson.

I, N. F. Young, Clerk of the County Court of Isle of Wight County, do hereby certify that I find no liens on the real estate in the bill and proceedings mentioned, whereof Mary E. Wilson died siezed and possessed.

Teste, N. F. Young Clerk.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 310.—Clerk's Certificate that Commissioner has given Bond.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight

Mitchell etals Plaintiff ,
AGAINST
Wilson etals Defendant .

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 1st day of December 1900, ~~18~~ has been duly given.

Given under my hand as Clerk of the said court, this ~~4th~~ 1st day of December 1900 ~~18~~.

N. F. Young C.C.

Mitchell
vs
Wilson Bros.

Return of
Commissioner Atkinson
under Decree of
Court dated Oct 29, 1900

Filed in the clerks office of
Isle of Wight Cir. Ct. Nov. 16th 1900

Smithfield Va

November 14th 1900.

To the Circuit court of Isle of Wight county.

Pursuant to a decree of the said court rendered on the 24th day of October 1900 in a suit in Chancery pending therein between Annie P Summers Mitchell and James I Wilson by Henry W Mitchell their next friend Plaintiffs and Alicia Wilson James and Charles B Jones her husband and others Defendants, the undersigned a Commissioner in Chancery of the said court who was directed by the said decree to enquire and report to court the following enquiries to wit 1st whether or not the Real Estate in the bill and proceedings mentioned can be conveniently partitioned among the parties entitled thereto, and if so, how, and with any party or parties the entire subject matter and pray the parties entitled thereto their respective shares, 2nd how there be any allotment of a part and a sale of the residue and if there can not be done with the interest of all from time and especially the infants Plaintiffs be promoted by the sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectively entitled and 3rd whether there any liens thereon for taxes or otherwise, report that on the 26th day of October 1900. Ten notices were issued against the said parties requiring them to attend the making the said enquiries at his said office, on the 9th day of November 1900. which notices were delivered to your Commissioner acknowledged by the said parties or their attorneys and appeared on the day both mentioned either in person or by attorney and your Commissioner made the said enquiries and finds that the said Real estate is situated in the town of Smithfield in the county aforesaid and consists of a dwelling house and lot and that the same can not be conveniently partitioned among the parties entitled thereto, that no party is willing to accept the said dwelling house and lot and pay the parties entitled thereto, their respective shares, and upon them by and all parties of a part thereof and a sale of the residue and that it will be to the best interest of all parties including the infant plaintiffs that the entire lot shall be sold and the proceeds be distributed among the said parties equally, your Commissioner further finds that there is no lien upon the said property for taxes or otherwise except for taxes for the year 1900 amounting to $4.66

Commissioners Office.
Smithfield Va.,October 26th.,1900

To Annie Plummer Mitchell and James S. Wilson by Harry M. Mitchell, their next friend, Plaintiffs

and to

Alida Wilson Jones, Charles C. Jones,her husband, Georgeanna Wilson Ames and W. C. Ames her husband, Mary Wrenn Cofer and E. H. Cofer her husband, John Wilson and Robert A. Edwards Sheriff of the County of Isle of Wight and as such Administrater of Mary Eliza Wilson Deffts

Take notice that I have fixed upon the 9th.,day of November 1900 at my Office aforesaid to enquire and report to the Circuit Court of the County of Isle of Wight as follows,to-wit:-

1st. Wether or not the Real Estate in the bill and proceedings mentioned can be conveniently partitioned among the parties entitled thereto.

2ond. If not, will any party accept the entire subject matter and pay the parties entitled thereto their respective shares.

3rd. If there can be an allotment of a part and the sale of the residue

4th. And that if these cannot be done, if the interest of all parties and especially the infant plaintiffs, will be promoted by the sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectivly entitled.

5th. Wether there are any liens thereon for Taxes or otherwise, required to be made and reported by a decree of the said Court rendered on the 22ond.,day of October 1900, in which you are parties, plaintifs 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 Gilliamson

We acknowledge service of the above notice

Harry M. Mitchell, in his own right, and as next friend of Annie Plummer Mitchell and James S. Wilson.

We accept service
of the within Notice

E. C. Jones

Georgianna Wilson Ames.

H. C. Ames

Alida Wilson Jones.

Commissioners Office.
Smithfield Va.,October 26th.,1900

To Annie Plummer Mitchell and James S. Wilson by Harry M. Mitchell, their next friend, Plaintiffs

and to

Alida Wilson Jones, Charles C. Jones,her husband, Georgeanna Wilson Ames and W. C. Ames her husband, Mary Wrenn Cofer and E. H. Cofer her husband, John Wilson and Robert A. Edwards Sheriff of the County of Isle of Wight and as such Administrater of Mary Eliza Wilson Deffts

Take notice that I have fixed upon the 9th.,day of November 1900 at my Office aforesaid to enquire and report to the Circuit Court of the County of Isle of Wight as follows,to-wit:-

1st. Wether or not the Real Estate in the bill and proceedings mentioned can be conveniently partitioned among the parties entitled thereto.

2end. If not, will any party accept the entire subject matter and pay the parties entitled thereto their respective shares.

3rd. If there can be an allotment of a part and the sale of the residue

4th. And that if these cannot be done, if the interest of all parties and especially the infant plaintiffs, will be prometed by the sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectivly entitled.

5th. Wether there are any liens thereon for Taxes or otherwise, required to be made and reported by a decree of the said Court rendered on the 22end.,day of October 1900, in which you are parties, plaintifs 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 Whitehurst

Louis Arthur

We hereby accept
service of the
within Notice.

Mary Wynn Cofer,
E. N. Cofer.

Commissioners Office.
Smithfield Va.,October 26th.,1900

To Annie Plummer Mitchell and James S. Wilson by Harry M. Mitchell, their next friend, Plaintiffs

and to

Alida Wilson Jones, Charles C. Jones,her husband, Georgeanna Wilson Ames and W. C. Ames her husband, Mary Wrenn Cofer and E. H. Cofer her husband, John Wilson and Robert A. Edwards Sheriff of the County of Isle of Wight and as such Administrater of Mary Eliza Wilson Deffts

Take notice that I have fixed upon the 9th.,day of November 1900 at my Office aforesaid to enquire and report to the Circuit Court of the County of Isle of Wight as follows,to-wit:-

1st.Wether or not the Real Estate in the bill and proceedings mentioned can be conveniently partitioned among the parties entitled thereto.

2end.If not, will any party accept the entire subject matter and pay the parties entitled thereto their respective shares.

3rd.If there can be an allotment of a part and the sale of the residue

4th.And that if these cannot be done, if the interest of all parties and especially the infant plaintiffs, will be promoted by the sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectivly entitled.

5th.Wether there are any liens thereon for Taxes or otherwise, required to be made and reported by a decree of the said Court rendered on the 22end.,day of October 1900, in which you are parties, plaintifs 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 Williams

Mr. Schuyler Colfax

to

Wilson Cole

Comm's Notice

---

a Copy

In the Circuit Court of Isle of Wight County October 22nd. 1900.

may be submitted to theJudge of this Court for such decision and decree therein, in vacation, as might be made in turn.

A COPY, Teste, A. J. Young Clerk.

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell, their next friend.

Vs.

Alida Wilson Jones, Cherles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson: Defts.

This cause came on this day to be heard on the bill in these preceedings mentioned, exhibits filed and the answer of the defendants, Alida Wilson Jones and Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson, deceased, with general replications to such answers, and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissieners of this Court report to Court:-

1st. Whether or not the real estate in the bill andproceedings mentioned can be conveniently partitioned between the parties entitled thereto, their respective shares.

2nd. If not, if any one party will accept the entire subject matter and pay the parties entitled thereto their respective shares.

3rd. If there can be an allotment of part, and sale of resodue.

4th. And that if these cannot be done, if the interest of all the parties and especially, the infant plaintiffs, would be promoted by a sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectively entitled.

5th. Whether there are any liens thereon for taxes or otherwise?

And by consent of all parties entered of record, the Court doth adjudge, order and decree that this cause

Mitchell Fals.

vs.

Nelson Fals

---

a copy of decree & bill of cost

1 Dec 1900

##

Circuit Court of Isle of Wight County, in vacation, on the 1st. day of December 1900.

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell, their next friend, Pltffs.

vs.

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson, Defts.

This cause came on this day to be heard on the papers formerly read, on the report of Commissioner Atkinson duly filed in the Clerk's Office of this Court on the 16th. day of November, 1900, to which no exceptions are filed, and on the petition of Harry M. Mitchell asking to be admitted as a party complainant to this suit, in his individual capacity and as husband of Annie Plummer Mitchell, which is this day filed by leave of Court:

On consideration whereof, the Court doth admit the said Harry M. Mitchell as a party complainant in his individual capacity and as husband of Annie Plummer Mitchell, and ratifying, approving and confirming the said report of CommissionerGeorge R. Atkinson, doth adjudge, order and decree, that W. L. Folk, who is hereby appointed a Special Commissioner for the purpose, do expose to sale at public auction, to the highest bidder, on the premises, all,of that certain lot or parcel of land in the proceedings mentioned, after first advertising the time, place and terms of sale for Fifteen days by printed hand bills, posted in five or more places in the town of Smithfield and elsewhere, upon the following terms; One third of the purchase money to be paid in cash, and the residue in two equal installments, payable one and two years from the date of sale the credit installments carrying interest from date of sale and the purchaser giving his bonds, waiving the Homestead Exemption, for the credit installments, the title of the property to be retained until the full purchase money is paid and conveyance directed by the Court.And the said W. L. Folk is directed to report his proceedings hereunder to the Court.

But the said W. L. Folk shall not proceed to execute this decree until he shall have executed a bond, with sufficient security, in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the sum of $7000, and conditioned for the faithful performance of his duties as such commissioner.

Robert R. Prentis.

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

A Copy, Teste A. G. Young C.C.

Bill of Costs to a final decree

Atto fee Hay	10.50	
Clerks fee	11.80	
Sheriff R. A. Edwards	2.50	
Sergt of Norfolk	1.00	
Comr Atkinson	2.75	Paid Comr Atkinson

Exhibit

"A"

COMMISSIONER'S SALE

AT PUBLIC AUCTION OF THAT DESIRABLE HOUSE & LOT

Situated on Mason Street in Smithfield, Va.

In execution of a decree of the Circuit Court of Isle of Wight Co., Va., entered in the suit of Mitchell, et als, vs. Wilson, et als, bearing date on the 1st day of December, 1900, I will sell at Public Auction, on the premises, on

Friday, December 21st, 1900,

AT 12 O'CLOCK, M.

All of that certain Lot or parcel of land situated in the town of Smithfield, Va., and which is bounded as follows:—By the lot now occupied by Mrs. Mollie Chalmers, the lands belonging to the Hill St Baptist Church, (col.,) and the Little Creek, and by the lands belonging to the Brown's A. M. E Church It being commonly known as the John Shady Wilson house and lot. This Lot contains about 9 acres of land, be the same more or less, and there is now on the premises a good two story dwelling, with all modern improvement and conveniences, besides other necessary out-houses.

TERMS:—One third of the purchase money to be paid in cash, and the residue in two equal installments, payable in one and two years after date of sale, the credit installments carrying interest from date of sale and the purchaser giving his Bonds, waiving the Homestead Exemption, for the credit installments, the title to the property to be retained until the full purchase money is paid and a conveyance directed by the court.

W. L. FOLK,

Special Commissioner.

Smithfield, Va.,
Dec. 4, 1900.

I hereby certify that the Bond required of the Special Commissioner has been duly given with security deemed sufficient by me.

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

Received of W. J. Park Special Commissioner
Two Dollars for printing Notice
of sale of the Wilson lot

J. H. Johnson, Jr.

Dec 5/1900

Mr. A. Lida L. Wilson Smithfield, ~~Newport District.~~ No.

1900. 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, 25c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 7 1-2c. on $100.	County Poor Tax, 7 1-2c. on $100.	TOTAL TAX.
Total # 34 Yard 3500 acres Land, value $	10 50	3 50	8 75					
" acres Land, value $								
" acres Land, value $								
" acres Land, value $								
" Personal Property value $								
" Capitation Taxes	~~1 00~~		~~50~~					
" Income $								
Total						11		22 75
5 per cent. additional, December 1, 1900								
Total								

Received payment 5 day of Oct 1901

B. L. Roberts Treasurer,

Per

Report of W. L. Folk.

Special Commissioner.

Metcalf et ux
v.
Jones et ux

William L. Folk.
Attorney and Counsellor.
Smithfield, Va.

On the following terms, viz:-"One third of the purcahse money to be paid in cash, and the residue in two equal installments, pavable in one and two years after date of sale, the credit installments carrying interest from date of sale and the purchaser giving his Bonds, waiving the Homestead Exemption, for the credit installments, the title of the property to be retained until the full purchase money is paid, and a conveyance directed by the Court".,as required by the said decree, and as will appear by a copy of the said advertisement of sale, herewith returned and marked Exhibit "A"as a part of this report. After having posted the said advertisement of sale for more than Fifteen days, prior to the day of sale, at more than five places in said town of Smithfield and at other public places in the vicinity of said town, sale was made of the lot aforesaid, in the town of Smithfield at 12 o'clock M. on the said 21st.,day of December 1900, on the terms aforesaid, when it was knocked down to, and bid off by Alida Wilson Jones, Georgeanna Ames, Mary Wrenn Cofer and John Wilson, the highest bidders at and for the sum of Five Thousand Dollars ($5000.00), and the parties aforesaid, instead of paying the cash required by the decree and executing the Bonds required by it, wish to pay the whole purcahse money in cash and obtain a deed to them for the lot aforesaid.

The undersigned is requested particularly to report that Georgeanna Wilson Ames, one of the parties to this suit, is the Guardian of Annie Plummer Mitchell and also the Guardian of James S. Wilson and that all parties desire that the shares of the said Annie Plummer Mitch-ell and James S. Wilson may be paid over to her the said Georgeanna Wilson Ames, as guardian and to be held by her as such. The share of the said James S. Wilsonis $800.36 and the share of of the said Annie Plummer Mitchell is $800.37 as will be seen by Schedule "B" herewith filed as a part of this report.

All of which is respectfully submitted.

W. L. Folk
Special Commissioner

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell their next friend and Harry M. Mitchell, in his own right, Pltffs.

vs

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson, defts.

To the Hon. Robert R. Prentis,

Judge of the Circuit Court of Isle of Wight Co.,Va.

In Chancery sitting,

In Vacation.

The undersigned has the honor to report that after he had executed "the Bond with sufficient security in the Clerks Office of this Court, payable to the Commonwealth of Virginia in the sum of Seven Thousand Dollars, conditioned for the faithful performance of his duties, as Special Commissioner" as required by the decree herein, in vacation, of the 1st.,day of December 1900, he advertised by printed hand bills, the lot in the bill and proceedings mentioned,viz:- "All that certain lot or parcel ofland situated in the town of Smithfield Va.,and which is bounded as follows:-By the lot now occupied by Mrs Mollie Chalmers, the lands belonging to the Hill St.,Baptist Curch, (Col) and the Little Creek, and by the lands belonging to the Browns A. M. E. Church. It being commonly known as the John Shady Wilson house and Lot. This Lot contains about 9 acres of land, be the same more or less, and there is now on the premises a good two story dwelling, with all modern inprovements and conveniences, besides other necessary out houses", for sale at public auction on the premises. in the town of Smithfield Va.,on Friday December the 21st.,1900 at 12 O'Clock, M.

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Feb 1 1901

ROBERT R. PRENTIS.

SUFFOLK, VA., February 1, 1901.

W. L. Folk Esq.,
Smithfield, Va.,

Dear Sir:-

I have signed the decree in Mitchell v. Jones and others and herewith return the same to you with the papers.

I have however been forced to make some modifications of the decree as drawn by you.

1. The commissions to which you are entitled as Special Commissioner are fixed by statute, and are less than the amount charged by you in Statement "B". Section 3404 of the Code.

2. The share of the infant married woman must be paid, not to her Guardian, but to a Receiver appointed in accordance with Section 2291 of the Code as amended by Acts of 1899)1900 p. 1240.

3. Unless the funds to which the infant parties are entitled are invested and held in Court they can only be paid out to the Guardian of one, and the Receiver of the other, on the execution, in addition to the Guardianship and Receivership bonds of a special bond, conditioned as indicated in the decree which I have signed. Code sections 2564 and 2622.

I am sorry if these requirements of law inconvenience you or your clients, but I have no discretion to waive them.

With best wishes. Very truly yours,

Robert R. Prentis

Received of W. L. Folk Special Commissioner in the suit of Mitchell, et als.,vs Jones et als the sum of Eight Hundred Dollars and Thirty Sevenc cents ($800.37) being my one sixth share of the net proceeds of sale of house and lot.

Norfolk Va. March 9th.,1901 Alida W. Jones.

Received of W. L. Folk Special Commissioner in suit of Mitchell, et als vs Jones et als, the sum of Eight Hundred Dollars and Thirty six cents ($800.36) being my one sixth share of the net proceeds of sale of house and lot

Norfolk Va. Mch.,9th.,1901 [illegible]

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Received of W. L. Folk Special Commissioner in the suit of Mitchell et als.,vs Jones, et als, the sum of Eight Hundred Dollars and Thirty seven cents($800.37) being my one sixth share of the net proceeds of sale of House and lot

March 9th.,1901

John S. B. Mitchell
Recvier of Annie P. Mitchell.

Received of W. L. Folk Special Commission in the suit of Mitchell et al vs Jones et als, the sum of Eight Hundred Dollars and Thirty seven cents ($800.37 being one sixth share of the net proceeds of sale of house and lot

March 9th.,1901

Mary T. T. Cofer.

Received of W. L. Folk Special Commissioner in the suit of Mitchel eta als vs Jones, et, als., the sum of Eight Hundred Dollars and Thirty seven cents ($800.37) being my one sixth share of the net proceeds of sale of house and lot

March 9th.,1901

Georgianna Jones.

Received of W. L. Folk, Special Commissioner in the suit of Mitchell et als.,vs..Jones, et als..the sum of Eight Hundred Dollars and Thirty six cents ($800.36) being James S. Wilsons one sixth of the net proceeds of the sale of House and lot

March 9th.,1901

Georgianna Jones.

Guardian of James S. Wilson

WM. L. FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

"Receipt"

James City County ,

Williamsburg, Va.

Nov. 27th.190

$1500.00

Received of Mrs. Georgianna Ames, guardian, the sum of one thousand and five hundred dollars, being the amount of money held by her as my guardian and which is in full of all claims, debts on demands which I have against her by reason of her having q alified and acted in the capacity of my guardian during my minority.

James Southall Wilson.

Late Ward

James City Va.

Subscribed and sworn to before me _____

_____ this 30th. day fo Jan. ,1902.

B. D. Peachy, N. P.

In the Clerk's Office of the County Court of Isle of Wight County, the foregoing receipt was received and with the certificate annexed, admitted to record on the 1st. day of Feb. 1902.

Teste: N. F. Young, Clerk.

A Copy.

Teste: N. F. Young Clerk.

Received of W.J. Tock Special Commissioner in suit of Mitchell et al vs Jones et al. Five Dollars, being fee for service as Sheriff in case of the Wilson lot

Geo A Edwards
Sheriff

Received of W.J. Tock Special Commissioner in suit of Mitchell et al vs Jones et al Two Dollars and fifty cents Sheriff fees in above entitled suit

Geo A. Edwards Sheriff

Received of W.J. Tock Special Commissioner Three Dollars and Seventy five cents being Commissioner fees in suit of Mitchell et al vs Jones et als.

Geo P Wilkinson

Received of W.J. Tock Special Commissioner Eleven 80/100 being amount of cost in suit of Mitchell et al. vs. Jones et als

N. B. Young

Mitchell et als
vs
Chancery
Jones et als

Report of Special Comm'r. Folk.

Statement "B"

Mitchell, et als: Plaintiffs
vs. In Chancery
Jones, et als:- Defendants
To the Honorable R. R. Prentiss
Judge of the Circuit Court of
Isle of Wight Co. Virginia

I have the honor to make the following report of my transactions in the above suit as Special Commissioner

To purchase price of property	5000 00	
By Commission		109 00
" Court fee		5 00
" Deed to purchaser.		5 00
" Attorneys fee as agreed.		30 00
" Taxes		22 75
" Clerks fees.		11 80
" Sheriff fees "		2 50
" Sergeant of Norfolk.		1 00
" Commissioner Atkinson		3 75
" Revenue Stamps on Deed		5 00
" Amount paid Alice W. Jones		800 37
" " " Virginia W. Ames		800 37
" " " Mary W. Cofer.		800 37
" " " John W'ilson		800 36
" " " Annie P. Mitchell		800 37
" " " James A. Wilson		800 36
" Cost of advertising		2 00
	5000 00	5000 00

Bonds required by Decree of February 1st 1901 have been duly executed.

June 6/1904 W. L. Folks

Oct. 27, 1900

We Consent

A. M. Mitchell in his own right — & as next friend to Daniel P. Mitchell & Jas S. Wilson.

We consent

R. S. Thomas, atty for John Wilson

W. L. Peck Atty for Annie Thomas Mitchell, James S. Wilson Wilson, Jones Chas C. Jones Georgiana E Wilson Annie W. C. Jones, Mary E Wilson Cofer and E. A. Cofer

Re A Edwards Exr & Adm of Mary E Wilson

as might be made in
terms. —

order and decree, that one of the Commissioners of this Court report to the Court:-

1st. Whether or not the real estate in the bill and proceedings mentioned can be conveniently partitioned between the parties entitled thereto.

2 If not, if any one party will accept the entire subject matter and pay the parties entitled thereto their respective shares

3 If there can be true ascertainment of fact, and date of evidence

4 And that if these cannot be done, if the interest of one of the parties, and especially the infant plaintiffs should be promoted by a sale of the whole subject matter and a distribution of the proceeds to the said parties as they are respectively entitled.

5. Whether there are any liens thereon for taxes or otherwise.

And by consent of the parties, entered of record, the Court doth adjudge, order and decree that this cause may be ~~_____~~ submitted to the judge of ~~this~~ Court for such decision and decree therein, in vacation,

Annie Plummer Mitchell and James A. Wilson, by Hann W. Mitchell their next friend.

DS.

Alida Wilson Jones, Charles C. Jones her husband, Georgeanna Wilson Ames, and W. C. Ames, her husband, Mary Wilson Cofer and E. H. Cofer, her husband, John Wilson and Robt A. Edwards Sheriff of the County of Isle of Wight and as such Administrators of Mary Eliza Wilson: dfts

This cause came on this day to be heard on the bill in these proceedings mentioned, exhibits filed and the answer of the defendants Alida Wilson Jones and Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wilson Cofer and E. H. Cofer, her husband, Jno Wilson and Robt A. Edwards Sheriff of the County of Isle of Wight and as such Administrator of Mary Eliza Wilson answered, with general replications to such answers, and was argued by counsel. On consideration whereof, the Court doth express

Jones, et als

vs

Mitchell et als

In Secretis

Decree

To be entered

Filed Dec. 1, 1900.

Robt. R. Reed

December 4th 1900. Decree
ordered entered of record
Test L. J. Lyon Clk.

Circuit Court of Isle of Wight County, in vacation, on the 1st day of December 1900. —

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell their next friend. Pltffs.

Vs.

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrater of Mary Eliza Wilson: Defts.

This cause came on this day to be heard on the papers formerly read, on the report of Commissioner Atkinson duly filed in the Clerks Office of this Court on the 16th., day of November 1900, to which no exceptions are filed, and on the petition of Harry M. Mitchell asking to be admitted as a party complainant to this suit, in his individual capacity and as husband of Annie Plummer Mitchell, which is this day filed by leave of Court:

On consideration whereof, the Court doth admit the said Harry M. Mitchell as a party ~~plaintiff~~ complainant in his individual capacity and as husband of Annie Plummer Mitchell, and ratifying approving and confirming the said report of Commissioner George R. Atkinson, doth adjudge, order and decree, that W. L. Folk, who is hereby appointed a Special Commissioner for the purpose, do expose to sale at public auction, to the highest bidder, on the premises, all of that certain lot or parcel of land in the proceedings mentioned, after first advertising the time, place and terms of sale for Fifteen days by printed hand bills, posted in five or more places in the town of Smithfield and elsewhere, upon the following terms; One third of the purchase money to be paid in cash, and the residue in two equal credit installments, payable one and two years from the date of sale, the credit instalments carrying interest from date of sale and the purchaser giving his Bonds, waiving the

WM. L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Homestead Exemption, for the credit instalments, the title of the property to be retained until the full purchase money is paid and a conveyance directed by the court. And the said W. L. Folk is directed to report his proceedings hereunder to the court. But the said W. L. Folk shall not proceed to execute this decree until he shall have executed a bond, with sufficient security, in the Clerks Office of this Court pa payable to the Commonwealth of Virginia, in the sum of $1000.— and conditioned for the faithful discharge of his duties as such commissioner.

Robert R. Ellis

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

WM L FOLK,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Citation & Notice of Suit

vs

Same & al. Defts

Decree

In the Circuit Court of Isle of Wight County, Va.

July 1, 1901

Robert R. Revell

March 16th 1901

Received & ordered to record

Teste J. C. Young Clk

William L. Folk.
Attorney and Counsellor.
Smithfield, Va.

Circuit Court of Isle of Wight County, in vacation, on the 1st. day of February 1901.-

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell their and Harry M. Mitchell in his own right next friend, Pltffs.

Vs.

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson, Defts.

This cause came on this day to be again heard in vacation, on the papers formerly read and on the report of sale by W. L. Folk Special Commissioner, herein bearing date on the 30th., day of January 1901 and was argued by Counsel:-On consideration whereof, the court confirming the said sale referred to in said report, to which no exceptions are filed, doth adjudge, order and decree that the said W. L. Folk Special Commissioner, as aforesaid, do, on the payment by the said Alida Wilson Jones, Georgeanna Wilson Ames, Mary Wrenn Cofer and John Wilson of the sum of Five Thousand Dollars, make to them a good and sufficient deed in fee simple, with special warranty, for all of that certain lot or parcel of land situated in the town of Smithfield Va., and which is bounded as follows:- By the lot now occupied by Mrs Mollie Chalmers, the lands belonging to the Hill St., Baptist Church (Col) and the Little Creek, and by the land belonging to the Browns A. M. E. Church. It being commonly known as the John Shady Wilson house and lot. Containing 1 acre be the same more or less.

And the Court doth further adjudge, order and decree that the said W.L. Folk, Special Commissioner, as aforesaid, do, after he has paid all of the unpaid costs and expenses of this suit, and has reserved all of the

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

unpaid taxes due on the said lot as aforesaid to await the result of the Injunction proceedings, relative to taxes due by said town, that he shall pay over to the adult parties, each ~~of her~~ their one sixth of the net proceeds of sale of the said lot in the bill and proceedings mentioned, ~~as~~ ~~will appear by schedule "B" filed with his report~~, and that he shall pay over to Georgeanna Wilson Ames Guardian of James S. Wilson ~~the sum of~~ one sixth of the net proceeds of sale, ~~of~~ and to the Receiver of Annie Plummer Mitchell ~~the~~ one sixth of the net proceeds of sale, ~~the sum of~~, taking from all parties receipts for the amount severally paid each, in their individual and in their fiduciary capacity, and return the same to Court with a report of his proceedings under this decree. But before any such payments shall be made to such guardian or receiver they shall severally execute proper bonds in the penalty of ~~to the Clerk of the Circuit Court of Isle of Wight Co., Va.~~ before the Clerk of this court $1000. each, conditioned for the faithful application of the fund and for the management and preservation of any property or securities in which the same may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent. -

Walter R. Ellis

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

WM. L. FOLK,
ATTORNEY AT LAW
SMITHFIELD, VA.

Annie Plummer Mitchell
per her next friend

vs.

J. H. Mitchell

Enter Apl. 22/1901
Robert R. Ellis

Annie P. Mitchell, by W. C. Ames, her next friend.

vs.

John W. Mitchell, Receiver.

Upon the petition of Annie Plummer Mitchell, wife of Harry M. Mitchell, by W. C. Ames, her next friend, and for good cause shown, the Court doth adjudge, order and decree, that John W. Mitchell be appointed receiver in this cause, to receive, hold and manage the sum of $800.37, and the sum of $666.66 2/3 cents in the said petition mentioned during the minority of the said Annie Plummer Mitchell and to pay over to her yearly the interest on the said sums of $800.37 and $666.66 2/3 and otherwise to deal with and manage the said sums as the Court may hereafter direct during the minority of the said Annie Plummer Mitchell, and to deliver into her possession on her becoming of age all of the principal of the said sums of $800.37 and $666 .66 2/3 and all interest thereon.

But the said John W. Mitchell shall not act as receiver in this cause until he shall enter into a bond before this Court or the judge thereof in a penalty of $2000 — with good and sufficient security, payable to the Commonwealth of Virginia, conditioned for the faithful performance of his duties as receiver in this cause.

This day John W. Mitchell, who has this day been appointed Receiver of Annie Plummer Mitchell, entered into and acknowledged a bond in the penalty of $2000, with Harry M. Mitchell his surety (who justified on oath as to his sufficiency) conditioned according to law: which bond is ordered to be recorded.—

Mitchell et alx

vs

Du Shaw

Wilson et al.

Final Decree

June 7, 1904

To be entered

Robt R. Willis

WM. L. FOLK
ATTORNEY AT LAW
SMITHFIELD, - - VA.

Jewell & Co., Phila.

Entered in C.O.B. #6 f 350

LAP OVER MARGIN

Annie Plummer Mitchell and James S. Wilson, by Harry M. Mitchell their next friend and Harry M. Mitchell in his own right, Pltffs

VS-

Alida Wilson Jones, Charles C. Jones, her husband, Georgeanna Wilson Ames and W. C. Ames, her husband, Mary Wrenn Cofer and E. H. Cofer, her husband, John Wilson and Robert A. Edwards, Sheriff of the County of Isle of Wight, and as such, Administrator of Mary Eliza Wilson. defts

This cause came on this day to be finally heard on the papers formerly read and on the report of Special Commissioner W. L. Folk filed ~~since the last hearing~~ this day, to which report there is no exception, and was argued by counsel: On consideration whereof the court doth approve and confirm said report.

copy of the receipt of James S. Wilson to his guardian Georgeanna Ames marked "Received"

And there being nothing farther to dispose of in this suit it is ordered that it be struck from the docket, with leave to any party to have the same reinstated on motion, without notice, should it hereafter become necessary.

William L. Folk,
Attorney and Counsellor,
Smithfield, Va.

Santa Fe N.M.
To 3 Deeds
Wilson E. N.E.

Admitted to record
Nov 5th 1888

Exhibit A

Recorded according to law

Recorded in Deed Book
52 page 529

Tax 2.00
Fee 1.25
$3.25

In the Probate Court of Rio Arriba County
New Mexico. This Deed was received and admitted
to record upon the annexed certificate.
Test C. P. Garrard Clk.
By C. P. Garrard Deputy Clk.

James and Mary W. James his wife whose names are signed to the writing above bearing date on the 1st day of September 1888. have acknowledged the same before me in County aforesaid. Given under my hand this 8th day of Sept A.D. 1888

Wm. M. McAllister N.P.

State of Maryland, City of Baltimore, To-Wit.

I, G. Evett Reardon, A Commissioner appointed by the Governor of the State of Virginia, for the said State of Maryland, certify that Eugene T. Cordell whose name is signed to the writing hereto annexed, bearing date on the 1st day of September 1888, has acknowledged the same before me in my State aforesaid.

Given under my hand this 11 day of Sept Anno Domini 1888

G. Evett Reardon

A Commissioner for Virginia, in the State of Maryland, residing in Baltimore City, 100 E. Lexington St.

State of New Jersey,
County of Atlantic, } **ss.**

I, LEWIS EVANS, Clerk of the Inferior Court of Common Pleas of the County of Atlantic, do hereby certify that James B. Nixon *, whose signature to the foregoing Certificate I believe to be genuine, was, at the time of making thereof, a* Notary Public *of the County of Atlantic, duly commissioned and sworn, to all of whose acts as such full faith and credit are and ought to be given as well as in Courts of Justice as elsewhere.*

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said County of Atlantic, this third *day of* September *in the year of our Lord, one thousand eight hundred and eighty-*eight.

Lewis Evans *CLERK.*

Witness the following signatures and seals this 1st Day of September A.D. 1888.

Albert, on the name of Martha J. Southall and Louisa T. Cordell
Jas. B. Nixon
C. J. Adams

Martha J. Southall (Seal)
Eugene F. Cordell (Seal)
Louisa T. Cordell (Seal)
Walter James (Seal)
Mary W. James (Seal)

State of New Jersey,
Atlantic County, } ss

I, James B. Nixon a Notary Public in and for the state of New Jersey, residing in the city of Atlantic City, New Jersey, do certify that Martha J. Southall and Louisa T. Cordell whose names are signed to the writing above, bearing date the first day of September, eighteen hundred and eighty-eight, have acknowledged the same before me in my county and city aforesaid. Given under my hand and Notarial seal this third day of September, A.D. eighteen hundred and eighty-eight.

Jas. B. Nixon
Notary Public N.J.

State of Virginia
Bath County } To Wit:

I, Wm. M. McAllister a Notary Public for the County of Bath in the State of Virginia do certify that E. Walton

by the lot of Dr. George Wilson now occupied by Benj. Drew, by the lands attached to the old methodist-meeting house, and a branch of Pagan Creek, - the boundaries whereof are more distinctly set out in the Deed from Wilson and Spratley to Joel Holleman and referred to, and the said lot of land is supposed to contain about nine acres be the same more or less it is now conveyed, and is all the land that was conveyed to the said Ripley by Charles F. Wilson and his wife Emily" - and is the same that was conveyed as aforesaid by the said A. Atkinson, Executor as aforesaid of the said Thomas D. Ripley to the said James B. Southall as aforesaid, as her sole, separate, and exclusive property to be used, held and enjoyed by her as such property free from any and all debts of the said John Wilson her husband, and from any and all control by him with full ample and complete power to use, occupy rent out, give, devise, grant and convey the same as fully and as completely as if she were a feme sole, and as fully and as completely as is allowed by the laws of ~~the~~ Virginia to a married woman holding and owning separate Estate

in consideration of the sum of Two Thou-
-sand Dollars, one thousand of which
is to be paid cash before the Delivery
of this Deed, and one thousand in
twelve months from date
thereof, with interest from date,
to be secured by a Deed of Trust on
the property hereinafter mention-
-ed and to be conveyed by this Deed,
the said Martha J. Southall as
Executrix as aforesaid, as Legatee
devisee and individual aforesaid,
and the said Mary W. James
and S. Watson James, and Lou-
-sa T. Cordell and Eugene F. Cordell,
do grant, with general Warranty,
unto the said Mary Eliza Wilson
wife of John Wilson, all of that cer-
tain piece and parcel of land lying
and being in the town of Smithfield
Virginia, on which the said James
B. Southall resided ~~at the time~~
prior to his death, and then and since
known as the Southall, or Tan-yard
lot, described in the Deed of A. Atkin-
son Executor of Thomas D. Ripley
bearing date on the 19th day of Janu-
ary A. D. 1855, and duly recorded in
Deed B 39 page 214, to the said James
B. Southall as "all that tract-lot, or
parcel of land aforesaid and bounded

Whereas James B. Southall did, by his last-will and testament, bearing date August-8th/1860, duly proved in the County court of Isle of Wight-County on the 6th Day of April/1863, devise and bequeathe his personal and real estate to "his wife Martha J. Tarewell", and "to his children Mary W and Louisa T. Southall". and whereas they are all now living, and the said Mary W. and Louisa T are both above twenty one years of age, and the said Louisa T. has intermarried with Eugene F. Cordell, and the said Mary W. has intermarried with G. Watson James, Now Therefore, this Deed made this 1st day of September, A. D. 1888 by and between the said Martha J Southall, widow of the said James B. Southall as Executrix of the said James B. Southall, as an individual, as legatee and devisee under the said will, the said Mary W. James and G. Watson James, Louisa T. Cordell and Eugene F. Cordell, parties of the first-part, and Mary Eliza Wilson, wife of John Wilson, party of the second part, Witnesseth, That

Sign as here written, viz, Martha J. S Mary W. J. Louisa T

as Witnesses thereto.

E. M. Dodd
Julia St. Dodd

In the County Court of Isle of Wight County the 6th day of December 1897. The last will and testament of Mary E. Wilson deceased was presented in Court and proved by the oaths of E. M. Dodd and Julia St. Dodd the subscribing witnesses thereto and ordered to be recorded as the last true will and testament of the said Mary E. Wilson deceased.

Teste N. J. Young C. C.

A copy Teste N. J. Young C. C.

Mary E. Wilson's Will

A copy

Exhibit B

In the name of God. Amen I Mary E. Wilson. of the town of Smithfield in the County of Isle of Wight and State of Virginia. Being of Sound and disposing mind and Memory do here by make and Ordain this to be my last Will and Testament. in manner and form as follows. Hereby revoking all former with by me at any time made.

I give. devise and bequeath all of my estate. real. personal and mixed. of every kind. nature and discription whatsoever to my Children Alida Jordan Wilson. Georgianna Wilson. Mary Warren Wilson. John Wilson. James Southall Wilson and Annie Plummer Wilson. in equal proportions. share and share alike.

In Witness whereof. to this my last will and testament. I have hereunto set my hand and affixed my seal this 18th day of July 1896.

Mary E. Wilson Seal

Signed. published and declared by the testatrix. Mary. E. Wilson. as and for her last will and testament. in the presence of us. who. in her presence and at her request. and in the presence of one Another. have hereunto signed our names