

1906-002 Chancery Causes: William J. Carroll & al vs Katie Carroll, Charles Carroll, Jr
Isle of Wight County + Samuel Carroll, by & c Folder 1

Plat in Oversize Box 2

other SURNAMES Hopkins,
BARR, Williams, Gwaltney,
Cox, Montgomery, Marks,
Hart, Clarke, Gilliam,
Rowell, Bell, Underwood,
AVERY

BILL.

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

William J. Carroll et als.

VS.

Katie Carroll et als.

No. 1

April Term 1903. de for arcb.

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

infants - who shall also answer this bill: that process
issue: that the said real estate be divided between the
parties entitled thereto, or else that it be sold and the proceeds
divided, in case it be indivisible in kind: that all proper
orders and decrees may be made, accounts taken and enquiries
be directed and that all such other, further and general
relief as in the premises may at just may be granted-

And your orators will ever pray etc.

H. G. Allen
P. H.
V. p. q.
William J. Carroll
Laura Hopkins
Edward Hopkins
Leetitia Barr
Joseph Barr

#3.

Your oratrix, Leetta Barr, states that she is the daughter of Charles Carroll, deceased, who was the nephew of James A. Williams and son of Margaret E. Cox.

Your orators further state, that the said real estate mentioned in said Will of James A. Williams, represents, as they believe, some five hundred acres of land, more or less, situate East of the main road, to Burwells Bay, in Isle of Wight County, all of which is known as the James A. Williams farm.

Your orators further state, that the said real estate is not susceptible of partition, among the parties entitled thereto, but your orators desire that the same may be partitioned, if it conveniently may; and if it cannot be so partitioned in kind, then your orators desire that the same may be sold and the proceeds divided among the parties entitled thereto: the shares of the infants to be held as directed by the statutes in such cases, made and provided.

Should the property not be divisible in kind, complainants believe and here state, that the interest of those who are entitled to said real estate or its proceeds, will be promoted by a sale of the whole of the said farm.

For-as-much, therefore, as your complainants are remediless in the premises, save by the aid of Equity, they pray that the said Katie Carroll, Charles Carroll, Jr. and Samuel Carroll may be made parties defendant, to this Bill and required to answer same by guardian ad litem; that a proper guardian ad litem be appointed in this cause, for said

#2.

Your orators state that the life tenant Leonard H. Gwaltney, died on the day of February 1900, leaving no lawful issue.

Your orator, William J. Carroll, states that he is the same William Carroll, mentioned in said third clause of the Will of his uncle James A. Williams, and that he was the nephew of James A Williams, dec'd and the son of Margaret E. Cox, by her first husband Charles Carroll, Sr.

Your orators further state that Charles Carroll, mentioned in said third clause of said James A. Williams' Will, was a brother of your orator, William J. Carroll.

That Charles Carroll, died in Webb City, Missouri, on the day of June 1894, leaving as his sole heirs at law(his wife being ^{now} dead) the following children,

- 1st. Laura Carroll, now Laura Hopkins, your oratrix, the wife of Edward Hopkins, your orator.
- 2.- Leetta Carroll, now Leetta Barr, your oratrix the wife of Joseph Barr, your orator.
- 3.- Katie Carroll, age seventeen.
- 4.- Charles Carroll Jr. age fifteen and
- 5.- Samuel Carroll, age thirteen.

The last three named children being infants under the age of twenty one years.

Your oratrix, Laura Hopkins, states that she is the daughter of Charles Carroll, deceased, who was a nephew of James A. Williams, and the son of Margaret E. Cox.

In the Circuit Court of Isle of Wight County:

William J. Carroll, Laura Hopkins,
Edward Hopkins, her husband, and
Leetta Barr, and Joseph Barr, her
husband.

Plaintiffs.

VS

In Chancery.

Katie Carroll, Charles Carroll, Jr
and Samuel Carroll, infants under
the age of twenty-one years.

Defendants.

To the Honorable Robert R. Prentis, Judge of the said Court:

Your orator, William J. Carroll, and your oratrix,
Laura Hopkins, a married woman, the wife of your orator Edward
Hopkins, and Leetta Barr, a married woman, the wife of your
orator Joseph Barr, and your orators Edward Hopkins and Joseph
Barr, complaining here-with, sheweth unto the Court, that:

James A. Williams, died on the day of 1875- in the
County of Isle of Wight, State of Virginia., and was in his
life time seised and possessed of certain real estate, lying
in the said County of Isle of Wight, Virginia., : that said
James A. Williams, left a Will, a copy of which is here-to-
attached, marked Exhibit "A", which Will was duly admitted to
probate on the 5th, day of April 1875, in the County Court of
Isle of Wight County, devising his property, first to his wife
Minerva, for her life, or so long as she remains his widow.

Your orator states that the said Minerva Williams, has
long since departed this life.

Your orators state, that the said third clause of said
Will is as follows:- "After the death or marriage of my wife,
I give to Leonard H. Gwaltney, all of my said estate, which I
had previously loaned to my wife, for her support during her
life or widowhood, but in the event of said Gwaltney dying
leaving no lawful issue, I then give the said estate to my two
nephews, Charles and William Carroll, sons of my sister, Mar-
garet E. Cox, now living in Missouri."

Answer to Bill.

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

William J. Carroll et als.

VS.

Katie Carroll et als.

No. 2-

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

And they will ever pray &c.

Samuel Carroll

Katie Carroll

Charles Carroll Jr.

By W.L. Dock Guardian ad litem

Samuel Carroll

Katie Carroll

Charles Carroll Jr.

In the Circuit Court of Isle of Wight County:

William J. Carroll, Laura
Hopkins & Edward Hopkins
her husband- Leetta Barr and
Joseph Barr her husband,
Plaintiff,

vs.

Katie Carroll, Charles Carroll Jr.
& Samuel Carroll, infants under
the age of twenty- one years,
Defendants.

In Chancery

The joint answers of Katie Carroll and Charles Carroll Jr.
in person, being over fourteen years of age- and of
Samuel Carroll - by W. L. Folk, their guardian ad litem,
assigned to defend them in this suit, to a bill & complaint
exhibited against them in the Circuit Court of Isle of Wight
County- by William J. Carroll, Laura Hopkins & Edward
Hopkins, her husband, Leetta Barr, and Joseph Barr her husband.
The respondents reserving to themselves the benefit
of all just exceptions to the said bill for answer, thereto,
answer and say,

That they are infants of tender years & by reason of
their infancy are incapable of understanding or of taking care
of their rights and interests.

They therefore, by their guardian ad litem, committed
themselves and their rights to the protection of the court
and pray that no decree may be pronounced that will tend to their
prejudice,

And having fully answered the said respondents pray
to be hence discharged with their reasonable costs, in this
cause expended.

#1.-

PETITION.

Katie Montgomery, a
minor, by her next friend,
W. F. Cook.

Petition for Receiver.

Feb 1906
petition
filed
Jesse L. Johnson, cler

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

To The Honorable, Robert R. Prentis,

Judge of the Circuit Court, of Isle of Wight County, Va.:

The undersigned, Katie Montgomery, a married woman, under the age of twenty-one years, who petitions, by her next friend, W. F. Cook, respectfully represents, that she is a minor, residing in the County of Jasper, State of Missouri; that her maiden name was Katie Carroll: that she is one of the infant defendants, in the pending Chancery suit of W. J. Carroll, et als., vs Katie Carroll, et als., in the Circuit Court of Isle of Wight County, Virginia: that by reason of her marriage, her guardian, C. H. Hart, of Isle of Wight County, Virginia, is no longer qualified to receive any money due, or personal estate of any nature.

Your petitioner, Katie Montgomery, by her next friend, W. F. Cook, therefore prays, that an order may be made, appointing B. H. Marks, a resident of the State of Virginia, receiver, under section 2291, of the Code of Virginia, and that said estate, of every kind, lawfully belonging to said petitioner, may be committed to the said receiver, as provided by above section, and amendments thereto, when he shall have given proper bond, before the Court or Judge, in the sum of \$500.00.

Katie Montgomery
By, W. F. Cook
her next friend.

A. G. Wray
Solicitor for Petitioner.

I concur in the above petition.

Katie Montgomery

William J. Carroll et al.,

vs.

Katie Carroll, et al.

DEPOSITIONS IN

BEHALF OF PLAINTIFF.

Filed May 25th 1909

W. R. ROBERTSON,
ATTORNEY-AT-LAW,
WEBB CITY, MO.

The witness, Leetta Barr, being duly sworn, deposes as follows:-

Q. State your name, age and place of residence, also your husband's name? A. Leetta Barr, twenty-one, Webb City; Joseph Barr.

Q. What was your maiden name? A. Leetta Carroll.

Q. Give the name of your father, his age, place of birth and place of death. A. Charles Carroll, forty-seven, Petersburg, Virginia; Webb City, Missouri.

Q. Did your father ever live in Virginia? Yes.

Q. To what state did he move from Virginia? A. Missouri.

Q. Give the name of your father's mother and father?

A. Margaret Carroll and my father's name was Charles Carroll.

Q. Did they live in Missouri? A. No, I don't think they did.

Q. Did your father have a brother by the name of William J. Carroll? A. Yes.

Q. Did William J. Carroll and his brother Charles Carroll, your father, live in Missouri in 1869? Yes.

Q. Is your mother now living? If not when did she die?

A. No, she died in 1893.

Q. What are the names and ages of your brothers and sisters and are they all before the Court, in this suit, either as plaintiffs or defendants?

A. Laura Hopkins, 25; Katie Carroll, 17; Charles Carroll, Jr., 15; Sam Carroll, 13; yes.

Q. As one of the heirs of the James A. Williams estate, through your deceased father's, Charles Carroll's interest, are you in financial condition, to buy up the interest of the other heirs, in the event the property is not partitioned among the heirs?

A. I am not.

Leetta Barr

Interrogatories

for Leetta Barr.

- I- State your name, age and place of residence, also your husbands name.
- 2- What was your maiden name?
- 3- Give the name of your father, his age, place of birth and place of death.
- 4- Did your father ever live in Virginia? To what State did he move from Virginia?
- 5- Give name of your fathers mother and father.
- 6- Did they live in Missouri.
- 7- Did your father have a brother by the name of William J. Carroll?
- 8- Did William J. Carroll and his brother Charles Carroll, your father, live in Missouri in 1869 ?
- 9- Is your mother now living? If not when did she die?
- 10- What are the names and ages of your brothers and sisters, and are they all before the Court, in this suit, either as plaintiffs or defendants?
- II- As one of the heirs of the James A. Williams estate, thorough your deceased fathers, Charles Carroll' interest, are you in financial condition, to buy up the interest of the other heirs, in the event the property is ^{not} partitioned, among the heirs?

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The above interrogatives were submitted to me.

W. L. Jack

Guardian ad litem, for Katie,

Charles Jr. and Samuel Carroll.

condition, to buy up the interest of the other heirs in the event the property is not partitioned, among the heirs?

A. No, I am not able to buy it at all.

Laura Hopkins.

The witness, Laura Hopkins, being duly sworn, deposes as follows:-

Q. State your name, age and place of residence?, also your husband's name?

A. Laura Hopkins, age twenty-five; residence Webb City, Missouri. Edward Hopkins.

Q. What was your maiden name? A.. Laura Carroll.

Q. Give name of your father, his age, place of birth and place of death?

A. Charles Carroll; 47 when he died; Petersburg, Virginia; Webb City, Missouri.

Q. Did your father ever live in Virginia? To what State did he move from Virginia? A. Yes; Missouri.

Q. Give name of your father's mother and father?

A. His mother's name was Margaret Carroll and his father's name was Charles Carroll.

Q. Did they live in Missouri? A. No, I don't think they did, but his mother moved to Missouri after his father died.

Q. Did your father have a brother by the name of William J. Carroll? A Yes.

Q. Did William J. Carroll and his brother, Charles Carroll, your father, live in Missouri in 1869? A. Yes.

Q. Is your mother now living? If not when did she die?

A. No, she died in February, 1893.

Q. What are the names and ages of your brothers and sisters, and are they all before the Court, in this suit, either as plaintiffs or defendants? A. Etta Barr,^{21;} Katie Carroll,^{17;} Charles Carroll Jr.,^{15;} and Sam Carroll,^{13.} Yes.

Q. As one of the heirs of James A. Williams estate, through your deceased father, Charles Carroll's interest, are you in financial

Interrogatories.

for Laura Hopkins.

- I- State your name, age and place of residence, also your husbands name.
- 2- What was your maiden name?
- 3- Give name of your father, his age, place of birth and place of death.
- 4- Did your father ever live in Virginia? To what State did he move from Virginia?
- 5- Give name of your fathers mother and father.
- 6- Did they live in Missouri?
- 7- Did your father have a brother by the name of William J. Carroll?
- 8- Did William J. Carroll, and his brother, Charles Carroll, your father, live in Missouri in 1869?
- 9- Is your mother now living? If not when did she die?
- 10- What are the names and ages of your brothers and sisters, and are they all before the Court, in this suit, either as plaintiffs or defendants?
- 11- As one of the heirs of James A. Williams estate, through your deceased father, Charles Carroll' interest, are you in financial condition, to buy up the interest of the other heirs in the event the property is ^{not} partitioned, among the heirs?

|||||

The above interrogatories were submitted to me .

W. L. Doek

Guardian ad litem, for Katie,

Charles Jr. and Samuel Carroll.

Mr W. L. Folk, Attorney.

Guardian ad litem, for Katie, Charles, Jr. and Samuel
Carroll, infants.

You are hereby notified, that on the 15th day of May 1903,
at the office of William F. Cook, a Notary Public, in Webb
City, Missouri, between the hours of 10 A.M. and 5 P. M. of
that day, I shall proceed to take the depositions of Laura
Hopkins and Leetta Barr, to be read in evidence, in behalf of
plaintiffs, in a certain suit in Equity, depending in the
Circuit Court of Isle of Wight County, Va., wherein William
J. Carroll et als, are plaintiffs and Katie Carroll et als,
are defendants.

H. G. Avery
Attorney for Plaintiffs.

I herein acknowledge service of the above notice to
take depositions, and waive notice as to the date of taking
same.

W. L. Folk

Guardian ad litem for Katie,
Charles Jr, and Samuel Carroll.

In Circuit Court of Isle of Wight County, Virginia:
William J. Carroll et als .

Plaintiffs.

VS.

In Chancery.

Katie Carroll et als.

Defendants.

The depositions of Laura Hopkins and Leetta Barr, taken before me, William F. Cook, a Notary Public, for the County of Jasper, State of Missouri, pursuant to notice hereto annexed, at my office, in Webb City, Missouri, on the 15th day of May 1903, between the hours of 10 A.M. and 5 P.M. to be read in evidence, in behalf of plaintiffs, in a certain suit in Equity, depending in the Circuit Court of Isle of Wight County, Virginia, wherein William J. Carroll, et als, are plaintiffs, and Katie Carroll et als, are defendants.

STATE OF MISSOURI)
 (SS:
COUNTY OF JASPER)

I, William F. Cook, a Notary Public within and for said county, do hereby certify that the foregoing depositions of Laura Hopkins and Leetta Barr were duly taken, sworn to, and subscribed before me pursuant to the annexed notice and agreement at the time and place, and within the hours in the annexed notice and agreement specified. And I do further certify that at the time of so taking the same I was a Notary Public within and for said Jasper County in the State of Missouri.

Given under my hand and notarial seal this 15th day of May, 1903.

My term expires October 13, 1906.

Costs of taking depositions \$4.50.

William F. Cook
Notary Public.

Deposition of
William Gene Carroll,

In Circuit Court - State of
West Va. $V\frac{1}{2}$

Wm. J. Carroll, et al.,
vs
Katie Carroll et al., } In Chancery

Recross and Filed June 9th 1903

\$5⁰⁰/_{xx} Paid by Plaintiff -

Ans. 25. Exhibit "H" is the Certificate of the Clerk of Surry County Court and of my father. This certificate states that my father married Margaret E Williams on the 28th. day of May, 1843, but they were married on the 24th. day of May, 1843, and this discrepancy has likely occurred through the certificate of marriage licence having been procured on the day previous to the wedding.

" 26. I believe that the property ^{hired} by me from the Williams estate cannot be divided, and I am not in a financial condition to purchase the interest of the other heirs in cash.

" 27. I do not think the Williams farm can be divided to advantage between the heirs of the estate, and I desire it sold and ^{the proceeds} distributed.

W. J. C.

William Jesse Carroll

Sworn before me at Lacombe in the District of Alberta and North West Territories of Canada, this First day of June, A.D. 1903, by William Jesse Carroll, the said deponent.

A. Milne
a Notary Public in & for the
North West Territories of Canada
(Registered at Washington, D.C.)

my commission does not expire
this time.
A. Milne

Ans. 8. I lived in Ray County Missouri from 1857 until 1875, (Pleasant View P.O.)
& Lawson P.O.

I lived with my Mother until I was married in 1865;

9. I had one full-brother, named Charles Carrol; Two Half-brothers and Four Half-sisters.

10. My brother Charles and I resided in Ray County Missouri,-- He with my mother and I with my wife.

11. My brother Charles died in 1893, at Webb City Missouri;

12. He married a Miss Buck in 1878 or 1879, and she is now dead; They left

12. Five children -- Laura age 26, Leetta age 22, Katie age 17, Charles age 15,
Samuel age 14; the two eldest are married.

Laura is married to Ed. Hopkins and Leetta to Joe Barr.

13. I knew James A. Williams of Isle of Wight Co. Va.-- He was my uncle--
prior to the Rebellion of 1861-1865, he was a slave-overseer, since that

14. time I know very little of him; In February 1903, I received notice of his
death, which notice stated that there was a Will left by him.

15. In Exhibit, hereto attached, marked Exhibit "A" the Margaret E. Cox referred
to is my Mother, and the Charles and William Carroll referred to is my
brother and Myself;

16. I and my deceased brother are the "two nephews, Charles and William Carroll,
sons of Margaret E. Cox, now living in Missouri" mentioned in the third
Clause of the said Will;

17. I and my brother Charles brought suit in Surry Co. Va. about 1869, against
James G. Rowell.

18. George T. Clark was our Attorney representing us in this suit.

19. Exhibit "B" is correspondence had between our Attorney, George T. Clark and
my mother, brother and myself; Exhibit "C" is correspondence had with
Richard D. Gilliam; Exhibit "D" is correspondence had with James G. Rowell,
one of the Executors of my step-grandfather's estate; Exhibit "E" is corres-
pondence had with William C. Underwood;

The reference "Jesse" made in James G. Rowell's letters is to myself.

20. Exhibit "F" is correspondence had between James R. Bell of Surry Co. Va.
and my Mother, brother and myself;

21. I did not go to Varginia during the prosecution of my suit against
21. Mr. Rowell; I was last in Virginia in 1903 for the purpose of settling the
estate of James A. Williams left to me and my brother by his will.

23. I know my cousin -- Jesse Holloway of Surry Co. Va., my cousin - Mary
Seward of Isle of Wight Co. Va.

24. Exhibit "G" is our family record, taken from the old family bible and
saved and treasured as a relic, -- as the said bible was being misused and
destroyed. My mother gave me Exhibit "G" several years ago.

(CONTINUED)

DEPOSITION.

The deposition of William J. Carroll, taken before me,
Alexander C. Milne, a Notary Public, for the North West Territories
of Canada, pursuant to the notice hereto attached, at
my office in Lacombe, N.W.T., on the First day of
June May 1903- between the hours of 9 A. M. and 6 P. M. to be
answ. read in evidence in behalf of Plaintiffs, in a certain suit
in Equity, depending in the Circuit Court of Isle of Wight
County, Virginia, U. S. A. wherein William J. Carroll et als
are Plaintiffs and Kate Carroll, et als are Defendants.

The witness William J. Carroll, being duly
sworn, deposes as follows:-

-
- Ans.* 1- My name is William Jesse Carroll, I am Fifty-Eight Years old;
2. I now reside at Lamerton in the North West Territories of Canada;
I resided in Virginia (Surry County) until I was Thirteen years old;
I then went to Ray County Missouri and resided there until 1875,
I then went to Elk County, Kansas and resided there until April
1903;
3. My fathers name was Charles Carroll, and he resided at Surry
4. County, Virginia, where he died in the year 1848. He was married to
Margaret E. Williams on the 24th. day of May, 1843. The Certificate of
this marriage states the 23rd. day of May, 1843 but they were married
on the 24th. day of May, 1843; He was not married a second time.
5. Margaret E. Williams was my mother's maiden name; she lived at
6. Surry County, Virginia; she was married a second time to Robert Cox,
7. in Surry County Virginia, on the 23rd. day of August, 1849- she moved to
Ray County, Missouri in 1857 afterwards to Southern Missouri where
she died in 1889.

19 Have you any correspondence had at the time with your Attorneys, George T. Clark, to yourself, mother or brother, (File as Exhibit "B") or with Richard D. Gilliam?(File as Exhibit "C".) also any correspondence had on the subject with James G. Rowell, one of the executors of your grandfathers estate,(File as Exhibit "D") or with William C. Underwood?(File as Exhibit "E") Explain who the "Jesse" is addressed in Jas. G. Rowell's letters.

20. Have you any correspondence to yourself, brother or mother from James R. Bell of Surry County, Va., relative to your Rowell suit? If so file as Exhibit "F".

21.- Did you come to Va,. during the prosecution of your suit against Mr Rowell?

22.- When were you last in Va, and what was your mission there?

23.- Who do you know in Surry County or Isle of Wight Co,Va? Give their names and relation, if any.

24.- Have you your family record? If so file same herewith as Exhibit "G", and explain fully where you obtained it and why you have only one page?

25.- Have you had the date of your mothers marriage to Robert ~~E.~~ Cox, verified by certificate from the Clerk of Surry County Court? ^{+ father also?} If so file same as Exhibits."H". and if any discrepancy occurs, explain how it probably occurred.

26.- If the property you heired from the Williams estate, cannot be devided in kind, are you in financial condition to purchase the interest of the other heirs, paying them their interest in money?

27.- Do you believe the Williams farm can be divided to advantage, among yourself and your brothers heirs, or do you desire sale and distribution of the proceeds?

Interrogatories for William J. Carroll.

1. State your name, age and residence.
2. State as ne-arly accurate as you can from memory the different places you have resided and length of residence in each, since childhood.
3. What was your father's name? Where did he fesinde? When and where did he die?
4. To whom was he married? Date and place; and if married second time, state to whom, date and p lace.
5. What was your mother's maiden name?
6. Where did she live? Give date of her marriages\$ and places of residence.
7. When did you live in M Missouri, and where?
8. With whom did you live?
9. What brothers and sisters did you have?
10. Did you have a brother named Charles Carroll? Where did you and he live in 1869, and with whom?
11. Is your brother Charles Carroll now living? If so, where. If not, when and where did he die?
12. If married, to whom? Is wife living? Did he leave any children? Give names and ages. If any are married, to whom?
13. Did you know James A. Williams of Isle of Wight Co. Va? If so what relation were you to him? Tell all you know about him.
14. When did he die? Did he leave a will?
15. Look at certified copy of Will of James A. Williams, hereto annexed, marked exhibit "A" and tell who the "Margaret E. Cox" is, also the "Charles and William Carroll" mentioned.
16. Are you and your deceased brother Charles Carroll the "two nephews, Charles and William Carroll, sons of Margaret E. Cox, now living in Missouri", mentioned in the third clause of said will?
17. Did you and your brother Charles, bring suit in Surry Co. Va. about 1869? If so, against whom?
18. Who represented you and your brother in that suit?

The Interrogatories hereto annexed, were submitted
to me as Guardian ad litem, + notice *as to time and*
place of taking waived, *W. F. Fack*

Guardian ad litem, for Katie,
Charles Jr. and Samuel Carroll.

In the County Court of Isle of Wight County the 5th. day of April, 1875.
The last will and testament of James A. Williams, decd., was proved
by the oath of Robert W. Gibbs and John T. Holleman, two of the sub-
scribing witnesses thereto (J. W. Jones, the other subscribing witness
being absent) and ordered to be recorded. And on the motion of Madison
Gwaltney, the executor therein named, who made oath and together with
Minerva Williams, and Leonard H. Gwaltney, his sureties, who justified,
entered into and acknowledged a bond in the penalty of six thousand dol-
lars, with condition according to law, certificate of probat is granted
him on said will according to law, which bond is ordered to be recorded.

Teste, N. P. Young, Clk.

A Copy,

Teste,

N. P. Young C.C.

Exhibit "A."

In the name of God, Amen: I, James A. Williams, of the County of Isle of Wight, in the State of Virginia, do make and ordain this instrument of writing to be my last will and testament in manner and form as follows, to-wit:

1st. I hereby loan unto my wife Minerva, all of my estate, real, personal and mixed, after paying all of my just debts and funeral expenses, for and during her natural life or as long as she remains my widow for her support, but in the event of her death or marriage, the same to be disposed of as herein provided for.

2nd. In view of the present condition of our country as well as for the more perfect enjoyment of my property by my dear wife, I hereby authorize my executor hereinafter named, with the concurrence of my wife, to sell any portion or all of my estate, real and personal, and to invest the proceeds in the best way their judgment may dictate, either in government securities or land securities. I leave this entirely to the discretion of my wife and my executor to be done if manifestly to the interest of my wife, my object being the greatest good and ease to my faithful wife.

3rd. After the death or marriage of my wife, I give to Leonard H. Gwaltney all of my said estate, which I had previously loaned to my sd. wife for her support during her life or widowhood, but in the event of sd/ Gwaltney dying, leaving no lawful issue, I then give the ~~xx~~ said estate to my two nephews, Charles and William Carroll, sons of my sister Margaret E. Cox, now living in Missouri.

4th. I hereby constitute and appoint my friend Madison Gwaltney executor of this my last will and testament, and if he should die before completing the execution thereof it is my express desire that James Branch shall not be allowed to exercise the office of administrator de bonis non with the will annexed of my estate.

4th. I hereby revoke and cancel all other wills heretofore by me made, in acknowledgement of this whereunto I have set my hand and affixed my seal this 28th. day of April 1869.

Signed, sealed and acknowledged
in the presence of

James A. Williams (SEAL)

Ro. W. Gibbs,

J. W. Jones,
John T. Holleman

William J. Carroll etals

vs. } Report of
Com. Yarns

Katie Carroll etals

Filed August 19th 1903

mentioned cannot be conveniently divided in kind between the several parties entitled to share therein and that none of the parties are willing to take the entire property and pay to the other parties such sums of money as their interest may entitle them to; and that the interest of all the parties will be greatly promoted by the sale of the land as a whole. Your Commissioner reports that, from evidence adduced, he is of opinion that three thousand dollars is a fair fee simple valuation of the land in the bill mentioned. Your Commissioner, not being able to obtain a correct boundary of the said farm, by authority of the said decree, after continuing the stating of this account for the purpose, had a survey of the land made by the County surveyor of Isle of Wight County, which said survey or plat is hereto attached as a part of this report. Your Commissioner reports that there are no taxes due on the said land nor does he find any other ~~liens~~ liens against said land.

Your Commissioner reports, that, from the evidence produced before him, he is satisfied that all the parties in interest are properly before the Court.

Respectfully submitted,

A. J. Young

Commissioner.

File consumed by Comm. 14 June, 1910

COMMISSIONER'S OFFICE,

Isle of Wight, Va. Aug. 19th. 1903.

Pursuant to a decree of the Circuit Court of the County of Isle of Wight, rendered on the 27th. day of April, 1903, in a suit in Chancery depending in said Court between William J. Carroll, Laura Hopkins, Edward Hopkins, her husband, and Leeta Barr and Joseph Barr, her husband, Plaintiffs; against Katie Carroll, Charles Carroll Jr. and Samuel Carroll, infants under the age of twenty one years, the undersigned, one of the Commissioners of the said Court, to whom was referred by the said decree, the following inquiries and accounts, to-wit:

1st. Whether the real estate in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein.

2nd. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to.

3rd. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interest of those who may be entitled to that property or its proceeds will be promoted by a sale of the whole property.

4th. Ascertain the fee simple value of the real estate in the bill mentioned. Also the proper boundary lines of said farm, having the same surveyed, if necessary.

5th. Whether any taxes or other liens are due upon the land in the bill mentioned.

6th. Whether all the necessary parties are properly before the Court; together with any matter specially stated, deemed pertinent by the Commissioner or required by any party interested to be stated: Reports to the Court that on the 15th. day of May, 1903, he issued notices against the ~~said~~ several parties aforesaid, requiring them to attend the taking and stating of the said accounts, before him, at his office on the 26th. day of May, 1903, which were returned to your Commissioner with legal service of said notices, duly acknowledged.

Your Commissioner reports to the Court that, after carefully examining the depositions filed and the oral testimony of responsible witnesses, he is of opinion, and so reports that the land in the bill

Decree for Sale.

William J. Carroll et als.

VS) In Chancery.

Katie Carroll et als.

No 5.

I consent to entry of
this decree.



Guardian ad litem
for Katie, Charles
and Samuel Carroll.

Entered Sept 23, 1903

Robert R. Huntis

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

Received and entered of record
Sept. 24th 1903
Jest. J. J. Yarnes et al.

#2.

rected to report his proceedings hereunder to the Court.

But the said H. G. Avery, shall not receive any money from the purchaser at such sale or under this decree, until he shall enter into bond, with sufficient security, ^{to be} ~~in~~ ~~the Clerk's Office of this Court,~~ *approved by the Clerk of this Court,* payable to the Commonwealth of Virginia, in the penalty of Four Thousand Dollars, and

conditioned for the faithful discharge of his duties as such commissioner *under this or any future decree in this cause. All of which is hereby certified to the Clerk of this Court to be entered in the chancery order book.*

Wm. R. Davis

*To the Clerk of the
Circuit Court of
Isle of Wight County:*

In the Clerk's Office of the Circuit Court of the County of Isle of Wight, this 24th. day of September, 1903, the foregoing vacation decree was received and entered of record.

Teste, *A. D. Young* C.C.

In the Circuit Court of Isle of Wight County: *in vacation*
on the 23d. day of September 1903.
 William J. Carroll, Laura
 Hopkins and Edward Hopkins,
 her husband- Leetta Barr
 and Joseph Barr, her husband.
 Plaintiffs.
 VS. In Chancery.
 Katie Carroll, Charles Carroll
 Jr. and Samuel Carroll, in-
 fants under the age of twen-
 ty-one years.
 Defendants.

This cause came on this day to be again heard, on the papers formerly read, and on the report of Commissioner N.F. Young, *filed on the 19th day of August 1903* to which report there is no exception: on consideration whereof, the court doth confirm the said report and doth adjudge, order, and decree that H. G. Avery, who is hereby appointed a special commissioner for the purpose, do- after first advertising the time, place and terms of sale, once a week for four successive weeks, in one or more of the newspapers *which are circulated* in the County of Isle of Wight, and posting notice of the same in one or more of the public places in this County, proceed to sell, at public auction, at the front door of the Court House, of this County, the tract of land in the bill and proceedings mentioned, a plat of which is filed with the papers of this suit, made by County Surveror J. O. Branch, upon the following terms, to-wit: One third cash, and the residue in two equal instalments, payable respectively, one and two years from the day of sale, the credit instalment carrying interest from the day of sale, and the purchaser or purchasers giving his or their negotiable notes for the said instalments, or all cash at the option of the purchaser, the title to the property, to be retained until the full purchase money is paid and a conveyance directed by the Court.

And the said H. G. Avery, Special Commissioner, is di-

Report of Sale
by
Spec. Comm. H.G. Avery

Mr. J. Carroce et al.
vs

Katie Carroce et al.

No 6.

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

ALVAH BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

In The Circuit Court of Isle of Wight County, Virginia:

William J. Carroll, Laura Hopkins and Edward
Hopkins, her husband, Leetta Barr and Joseph
Barr, her husband.

Plaintiffs.

VS.

Katie Carroll, Charles Carroll Jr. and
Samuel Carroll, infants under the age of
twenty-one years.

Defendants.

In Chancery.

The undersigned Special Commissioner appointed
by the decree made in the above cause, proceeded to execute
the duties thereby enjoined upon him.

After advertising the time, place and terms of
sale in the Suffolk Herald, a newspaper published in Suffolk,
Va., and circulated in Isle of Wight County, once a week for
four weeks and posting notice of the sale, at the front door
of the Court House and at Smithfield and Fergusson's Wharf,
in this County, your Commissioner proceeded to sell at public
auction, to the highest bidder, at the front door of the
Court House, of this County, on the 26th, day of October 1903-
the said tract of land, known as the James A. Williams farm,
containing five-hundred acres, more or less, reference being
made to the County Surveyors plat filed with the papers in
this cause, for description by metes and bounds.

Your Special Commissioner reports that J. M. Jones
and L. Q. Jones, made the highest bid and became the purchas-
ers at \$3,500.00

The purchasers have elected to pay cash for the
same and have done so.

Your Special Commissioner has given bond requir-
ed by the decree directing sale.

Respectfully submitted.


Special Commissioner.

Deeare
Confirming Sale -
Wm. J. Carroce et al.
vs.
Katie Carroce et al.

no 7 -

Entered Dec. 3, 1903
Robert R. Huntis

Received and extent of record
Dec. 5, 1903
J. H. J. Haining & Co.

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

In the Clerk's Office of the Circuit Court of Isle of Wight County December 5th. 1903, the foregoing vacation decree was received and entered of record.

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

Deputy.

By N. F. Young

TO THE CLERK OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA.

I, N. F. Young, Clerk of the Circuit Court of Isle of Wight County, Virginia, do hereby certify that the foregoing is a true and correct copy of the vacation decree of the Circuit Court of Isle of Wight County, Virginia, entered on the 5th day of December, 1903, and that the same has been entered of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Circuit Court of Isle of Wight County, Virginia, at Newport News, Virginia, this 5th day of December, 1903.

N. F. Young, Clerk of the Circuit Court of Isle of Wight County, Virginia.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Circuit Court of Isle of Wight County, Virginia, at Newport News, Virginia, this 5th day of December, 1903.

N. F. Young, Clerk of the Circuit Court of Isle of Wight County, Virginia.

Circuit Court of Isle of Wight County,
in vacation, on the 3rd day of Decem-
ber 1903.

William J. Carroll et als.)
VS.) In Chancery.
Katie Carroll et als.)

This cause came on this day to be heard again on
the papers formerly read and on the report of sale, made by
Special Commissioner, H. G. Avery, ^{this day filed,} to which report no except-
ions have been ^{taken} ~~made to the sale therein reported to have been~~
~~closed to J. M. and L. Q. Jones, and on the papers returned~~
~~and filed with the said report,~~ and was argued by counsel:

On consideration whereof, the Court doth approve and
confirm the said report of sale made to J. M. and L. Q. Jones.

And the Court doth adjudge, order and decree that
as the purchasers, J. M. and L. Q. Jones, have paid in cash,
the amount of their bid, to H. G. Avery, the Special Commis-
sioner, ^{who is hereby appointed} ~~for the purpose~~ that said H. G. Avery, Special Com-
missioner, shall convey by good and sufficient deed, with
Special warranty, unto the said J. M. and L. Q. Jones, all of
that tract of land lying in the County of Isle of Wight, Va.,
known as the James A. Williams farm, containing five- hundred
acres, more or less, bounded as follows:- Bounded on the East
by the lands of Wm. A. Stott: on the South by the Marle Swamp
tract: on the West by the lands of Geo. W. Carroll and Dr. F.
T. Vail and on the North by the lands of Richard Randolph, di-
vided from the latter by a line of fence. For more specific
description reference ^{is} ~~was~~ made to survey or plat of said farm
made by County Surveyor J. O. Branch, duly filed with the
papers in this cause. And the said Special Commissioner
H. G. Avery, is directed to report his proceedings hereunder
to this Court.

Robert R. Arentis

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

Norfolk, Va.,

Dec, 3rd, 1903.

Received from the proceeds of the sale of the James A. Williams farm, for account of Katie Carroll, Charles Carroll, Jr. and Samuel Carroll, heirs of the estate, the sum of One hundred and twenty-two and 26/100 dollars, same being 3/10 of the costs in the suit of Carroll et als VS Carroll et als, in the Circuit Court of Isle of Wight Co, Va.,


Special Commissioner.

Norfolk, Va.,

Dec, 3rd, 1903.

Received of M. E. Broaddus, the sum of \$261.94 same being 7/10 of the costs in Chancery suit of Carroll et als, VS Carroll et als, in the Circuit Court of Isle of Wight Co, Va,.same being paid to cover the interest of Wm J. Carroll, Laura Hopkins and Leetta Barr.


Special Commissioner.

Norfolk, Va.,

Dec, 3rd, 1903.

Received of H. G. Avery, Special Commissioner, in the suit
of Carroll et als, VS Carroll et als, in the Circuit Court
of Isle of Wight County, Va.. the following sums,

Commissions of Commissioner on \$3,500.00----	\$75.00
Drawing and Ack, deed,-----	10.00
	<u>\$85.00</u>

H. G. Avery.
Attorney.

GEORGE W. DEY

10-1903-3M.

GEORGE D. DEY

WALTER H. DEY

ESTABLISHED IN 1869

General Insurance Agency, 261 Main Street, opposite Atlantic Street

SURETY BONDS FOR EMPLOYEES, CONTRACTORS AND IN THE COURTS

NORFOLK, VA., ... 190.....

Mr. H. G. Army

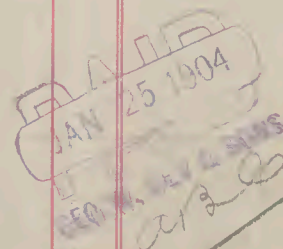
TO GEO. W. DEY & SONS, Dr.

99863

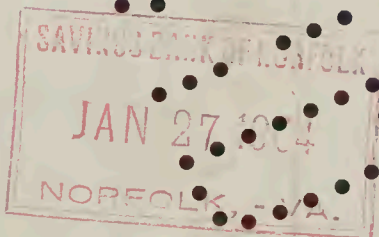
FOR INSURANCE PREMIUMS AS FOLLOWS

DATE	POLICY No.	COMPANY	AMOUNT INSURED	PREMIUM	PROPERTY INSURED
<i>1903.</i>					
<i>Sept 28.</i>	<i>For Premium on Bond executed by American Bonding Co. in Circuit Court of Isle of Wight County Va. as Special Commr</i>				
				<i>\$ 12 00</i>	

Premiums are cash and payable on or before the 20th day of the month following date of issue of policy, certificate or renewal receipt. If not paid then, this insurance is void. See policy.



PAY TO THE ORDER OF
ANY BANK OR BANKER,
GEO. W. DEY & SONS.



MARINE BANK,
PAID,
JAN 28 1904
NORFOLK, VA.



*Send as Spec
Cmt - Carrae vs Carrae.*

No. _____

NORFOLK, VA.

Jan 25th 190*4*

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF

Geo. W. DeG. & Sons

Twelve + no/100

DOLLARS

\$ *12, ⁰⁰/_{xx}*

H. G. Avery

Howard G. Avery,

Attorney-at-Law,

Haddington Building,

Phone 416.

Norfolk, Va., Dec 19th, 1903.

Received of H. G. Avery, Special Commissioner, in the suit of
Carroll et als VS Carroll et als, in the Circuit Court of Isle
of Wight County, Va., the sum of \$83.22 the same to cover the fol-

lowing items:-	Attorneys fee -----	\$15.00
	Clerk of Circuit Court -----	7.46
	" " County " -----	8.11
	Commissioners fee -----	10.50
	Surveyors fee -----	15.00
	Commissions on bond-----	12.00
	Advertising land etc, -----	5.15
	Auctioneer, -----	10.00
		<u>\$83.22</u>

Dec 24/1903

J. J. Young co.

• • • • •
•
• •
• • • • •
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• • •
•
• • • •

• • Pay The Bank of Smithfield,
• • • • •
• • • • •

N. F. YOUNG.

Check

THE NAT. BANK of COMMERCE
Norfolk, Va., or Order.
THE BANK OF SMITHFIELD.
A. S. BARRETT, Cash.



In full of
Certs. - Carroll

NORFOLK, VA. *Dec 19th* 19*03-*

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF *A. F. Young* *(Clerk)*

Eighty-Three and 22/100 DOLLARS

\$ *83.22*
XX

A. G. Avery

Howard G. Avery,

*Attorney-at-Law,
Haddington Building,*

Phone 416.

Norfolk, Va., Dec 19th., 1903.

Received of H. G. Avery, Special Commissioner in suit of Carroll
et als VS Carroll et als, in the Circuit Court of Isle of Wight
County, the sum of \$10.00 same to cover my fee as Gurdian ad
litem, for Fatie Carroll et als.

W L Jack
Guardian ad litem.



W. J. Gork

Pay THE NAT, BANK of COMMERCE
Norfolk, Va., or Order.
THE BANK OF SMITHFIELD
A. S. GARRETT, C.



No. *in Guardian ad
Litem - for Katie Carroll et
als - vs. Carroll et als. Let als.*

NORFOLK, VA. *Dec 19th* 190*3-*

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF

W. L. Falk, Att-

Ten & no/100

\$ *10.00*
x x

DOLLARS

A. G. Avery -
#5

William J. Carroll et als.)
VS.) In Chancery.
Katie Carroll et als.)
To Special Commissioner H.G. Avery.

You are herein authorized and herein empowered
to pay to H. H. Brodous, or such party as he may designate
any and all money due the undersigned- as distributee's
in suit of Carroll etals vs. Carroll et als- in Circuit
Court of Isle of Wight County- and to ^{accept} ~~give~~ proper receipt for
same.

William J. Carroll
Laura Hopkins and
Letta Barr by
William J. Carroll Attorney in fact

To H. G. Avery, Special Commissioner,

William J. Carroll et als.)

VS.)

Katie Carroll et als.)

) In Chancery.
)
)
)

For value received, I have this day assigned and transferred all of my right, title and interest in the above order, on you, and I herein authorize and empower you as Special Commissioner, in above cause, to pay any and all money due me, by virtue of the above order, executed by William J. Carroll Laura Hopkins, and Leetta Barr, by William J. Carroll, Atty in fact, to J. M. Jones and L. Q. Jones, and to accept their receipt for the same.

M. E. Broodius

September 26th, 1903.

In Circuit Court, Isle of Wight County, Virginia.

To

Special Commissioner in Chancery Suit

of Wm. J. Carroll et als

vs

Katie Carroll et als

Sir:-

For value received you are herein authorized to pay any
and all money due us under the sale of the Jas. A. Williams
Estate to Dr. M. E. Broaddus of McClelland, Va., and to accept
his receipt for same.

Leetitia Barr

Joseph Barr

Laura Hopkins

b 1 1 1 1 1

To H. G. Avery, Special Commissioner.

William J. Carroll et als.)

VS.)

Fatie Carroll et als.)

) In Chancery.

)
For value received, I herein assign and transfer all of
my right, title and interest, in the order hereto attached
on you as Special Commissioner. and I herein authorize
and empower you, in the above cause, to pay any and all
money due me, by virtue of the above order, executed by
Leetta Barr, Joseph Barr, Laura Hopkins and Edward Hopkins,
to J. M. Jones and L. Q. Jones, and to accept their re-
ceipt for the same.

M. E. Broddie

September 26th, 1903.

Spec. Court Report

William J. Carroll et al.

against

Kate Carroll et al.

No 8-

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

In the Circuit Court of Isle of Wight County, Va., *in vacation*
on the 20th day of June 1904.

William J. Carroll, Laura Hopkins, and
Edward Hopkins, her husband, Leetta
Barr, and Joseph Barr, her husband.
Plaintiffs.

VS.

In Chancery.

Katie Carroll, Charles Carroll, Jr.
and Samuel Carroll, infants under
the age of 21 years.

Defendants.

The undersigned Special Commissioner, appointed by de-
cree, in above cause, begs to report following statement of
receipts and disbursements, from the proceeds of the sale
of the James A. Williams farm.

Purchase price, bid by J. M. and L. Q. Jones, -----\$3.500.00

Receipts,

Cash received from J. M. and L. Q. Jones,
same being 3/10 of purchase price and to
cover interest of Katie, Charles, Jr. and
Samuel Carroll, minor heirs, -----\$1.050.00

Orders received from J. M. and L. Q. Jones,
as cash, given by William J. Carroll, heir
to 5/10, Laura Hopkins, heir to 1/10, and
Leetta Barr, heir to 1/10, to M. E. Broad-
dus, and by him assigned to J. M. and L.
Q. Jones, said orders representing 7/10
interest, -----\$2.450.00 \$3.500.00

Disbursements,

Cash received, representing the interest
owed by Katie, Charles, Jr. and Samuel
Carroll, being 3/10 interest, -----\$1.050.00 \$1.050.00

Court Costs, -----\$ 83.22 ✓
Attys fee, ----- 150.00 ✓
Spec, Com, fee for sale, 75.00 ✓
Exp, 7 trips and costs, -- 56.00 ✓
Drawing and Ack, deed, --- 10.00 ✓
\$374.22

Three-tenths to be paid by Katie,
Charles, Jr. and Samuel Carroll, -----\$112.26
Fee paid W. L. Folk, Guard, ad litem, --- 10.00 ✓ \$122.26
\$122.26 \$927.74

Balance held by Spec, Com, to credit of minor heirs, --\$927.74

Respectfully submitted,

A. G. Army
Special Commissioner.

Secret

Wm J. Carroes et

als Plf.

vs

Katie Carroes et

als Def.

No. 9

Entered June 20, 1904
Robert R. Smith

HOWARD G. AVERY

ATTORNEY AT LAW

HUDDINGTON BUILDING

NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

In the Circuit Court of Isle of Wight County, in vacation,
on the 20th, day of June, 1904

William, J. Carroll, Laura Hopkins,
and Edward Hopkins, her husband,
Leetta Barr, and Joseph Barr, her
husband.

Plaintiffs.

VS

In Chancery.

Katie Carroll, Charles Carroll, Jr.
and Samuel Carroll, infants under the
age of 21 years.

Defendants.

This cause came on this day to be again heard, on the
papers formerly read and on the report of the Special Com-
missioner, H. G. Avery, of the receipts and disbursements,
made from the proceeds of the farm sale, which said sale
was approved and confirmed by decree of this Court entered
Dec, 3rd, 1903, which report is this day filed, to which
report no exceptions have been taken, and was argued by
counsel.

On consideration whereof the Court, doth approve
and confirm the said report, made by H. G. Avery, as Spec-
ial Commissioner.

And the said Special Commissioner. H. G. Avery, is
directed to report his further proceedings to this Court.

Robert R. Hunt
To the Clerk of
the Circuit Court
of Isle of Wight County.

In the Clerk's Office of the Circuit Court of Isle of Wight
County this 23rd. day of June, 1904, the foregoing vacation
order was received and entered of record.

TESTE: N. J. Hanna Clerk.

I hereby certify that the foregoing account was sworn
to before me by B. H. Hart as being correct and just
given under my hand this 15th day of Oct 1905

J. D. Hanna

Comm. in chancery

Hart C. H.

\$31.75

3 1/2
3
10

1903

The Estate, or heirs of the Jas. A. Williams Land
To C. H. Hart.

D.

May June To 1 day's services of self horse & boy in
going around land to find suitable witness-
es to prove value of land &c. before Court Young } 3.00
To 2 days services self horse & boy in getting
parties to assist Co. Surveyor to Survey land
& attending & aiding on first day of Survey } 5.00
" amt. pd Ed. Lynes col. 1 day to cut out lines &c. } .75
" " Ed. Nash Johnson, Ed. Wilson & C. Hart, as
chain bearers, & flag men, 1 day each. } 1.50
" amt. pd to Jas. W. Holleman 1 day to assist Co.
Surveyor, 2^d day of Survey } 1.00
" amt. paid Jason Jones 1 day Do. Do. " } .50
" " " Mr. Nunez & two sons of Sam B.
Hollemans, 1 day each as axemen and
chain bearers &c. ^{1st day} 2^d day @ ^{.75} each - } 3.00
" amt. pd to B. H. Dell ^{1st day} for 2 days. one day with
horse going to C. H. as witness as to value
of the land, & one day with horse going over the
whole tract to see as to value of the timber &c. } 4.00
" amt. pd to J. B. Bell's for ^{admr. & clk.} 3 1/2 days services of
himself & horse in going over the land with
B. H. Dell to value same, & the timber on
it, & going to C. H. as witness before
Court 1 day each, & for 1 1/2 days going with
Surveyor to find lines. (Mr. Bell was a most
valuable man, as he was ^{the} only living man
who could find the lines, being one of the last
Processioners, &c. @ 5\$ per day, as he
was very busy in his crops. I found it a
hard matter to get him to aid us. } 10.50
" amt. for taking care of Co. Surveyor's ^{horse} for
2 days & nights, & feeding six parties
on 1st day of Survey on the farm. } 2.50
E. & O. E. \$31.75

N. B. as I lived not far from the land, & the Co. Surveyor
about 20 miles, he requested me to get the necessary la-
- borers & assistants to aid him. when he came, & the
Court Mr. Young asked me to look up suitable witness-
- es to appear before him as to value of the land, tim-
- ber &c. Some parts of the lines were very difficult to Sur-
- vey, being through very thick woods, & low pond & places and
required more help, Very respectfully C. H. Hart.

Chas. F. Hart,



THE BANK OF COMMERCE
NORFOLK, Va.
THE BANK OF THE FIELD



No. _____

NORFOLK, VA.

Oct 19th 190*4*

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF

Let. Hart - In full of a/c vs *William Estate* - for surveying.
Thirty-one and 75/100

DOLLARS

\$ *31. $\frac{75}{100}$*

A. G. Arvey

ESTABLISHED IN 1869

General Insurance Agency, 261 Main Street, opposite Atlantic Street

SURETY BONDS FOR EMPLOYEES, CONTRACTORS AND IN THE COURTS

NORFOLK, VA., ... 190.....

Mr. H. G. Arny.

TO GEO. W. DEY & SONS, Dr^d

REMOVED TO
No. 112 PLUME STREET
Dr. OPPOSITE THE POSTOFFICE

29869

FOR INSURANCE PREMIUMS AS FOLLOWS

DATE	POLICY No.	COMPANY	AMOUNT INSURED	PREMIUM	PROPERTY INSURED
1904					
Sept 28. For renewal Premium on Bond for \$4000. executed in Circuit Court of Isle of Wight Co. Va. as Special Commissioners. Title of Case - Wm J. Carroll et als. vs. Katie Carroll et als.				\$5.00	
Paid 12/7/04				Geo W. Hays Sons & Co arbz	

Premiums are cash and payable on or before the 20th day of the month following date of Issue of policy, certificate or renewal receipt. If not paid then, this insurance is void. See policy.

In the Circuit Court of
Isle of Wight County.

William J. Carroll et als.

VS

Katie Carroll et als.

IN CHANCERY.

Commissioners further re-
port.

No 10.

The Special
Commissioners will
sign this report
R.R.P.

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

Balance held by Special Commissioner, to the credit of
the minor heirs, Katie Carroll, Charles Carroll, Jr., and
Samuel Carroll, in equal parts,.....\$913.72

Respectfully submitted,

H. G. Henry
Special Commissioer.

In the Circuit Court of Isle of Wight County, Virginia, in
vacation, on the 4th day of August, 1905.

William J. Carroll, Laura
Hopkins, and Edward Hop-
kins, her husband-Leetta
Barr, and Joseph Barr, her
husband.

Plaintiffs.

VS

IN CHANCERY.

Katie Carroll, Charles Car-
roll, Jr. and Samuel Carroll,
infants under the age of 21
years.

Defendants.

The undersigned Special Commissioner, appointed by decree,
in above cause, begs to make following additional report of
receipts and disbursements, from proceeds of the sale of
the James A. Williams farm.

Balance on hand, held by Special Commissioner,
to the credit of minor heirs, Katie Carroll,
Charles Carroll, Jr. and Samuel Carroll, as
per report filed June 20th, 1904, ...\$927.74

DISBURSEMENTS.

Paid Chas. H. Hart, surveying, etc., \$61.75

" Geo. W. Dey and Sons, Prem. on bond. 5.00

Expenses to Court House, 2 trips, ... 10.00

\$46.75

Three-tenths, to be paid by Katie,

Charles, Jr., and Samuel Carroll, ...\$14.02

Balance- \$913.72

REPORT.

William Carroll, et
als.

vs

Katie Carroll et als.

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

#2.

Your Special Commissioner reports that he holds subject to the order of this Court, the sum of \$304.57, the interest of Katie Montgomery, a minor.

N. G. Anney
Special Commissioner.

In the Circuit Court of Isle of Wight County, Virginia, in vacation, on the 10th day of March 1906.

William J. Carroll, Laura
Hopkins, and Edward Hopkins,
her husband, Leetta Barr, and
Joseph Barr, her husband.

Plaintiffs.

vs

Katie Carroll, Charles Carroll,
Jr., and Samuel Carroll,
infants under the age of
21 years.

Defendants.

IN CHANCERY.

The undersigned Special Commissioner, in above cause, begs to make the following additional report of disbursements, as shown by vouchers hereto attached, in pursuance of decree entered in this cause on the ____ day of August, 1905:

Paid to C. H. Hart, Guardian of Samuel Carroll, ...\$304.57

Paid to C. H. Hart, Guardian of Charles Carroll, Jr.

\$304.57

\$609.14

Your Special Commissioner reports that owing to the fact that Katie Carroll, the remaining minor heir, owing to her marriage, ~~of~~ (her name now being Katie Montgomery.) has disqualified her guardian, C. H. Hart, from the right to receive her share, set forth in decree of August 4th, 1905.

Isle of Wight County, Virginia.

November 24th, 1905.

Received of H. G. Avery, Special Commissioner, in suit of
W. J. Carroll, et als, vs Katie Carroll, et als., the sum of
\$304.57 same being amount due Charles Carroll, Jr., one of the
infant defendants in said suit.

A handwritten signature in cursive script, appearing to read "C. H. Hart", is written over a horizontal line.

Guardian of Charles Carroll, Jr.



No. _____

NORFOLK, VA. November 24th, 1905.

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF C. H. Horro, Guardian of Charles Carroll, Jr.

Three Hundred and four & 57/100 ----- DOLLARS
as per decree, in suit of Carroll vs Carroll.

\$ 304.57

A. G. Avery

C. Stedman Esq.
Charles Carroll Jr.

U. S. DEPARTMENT OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.

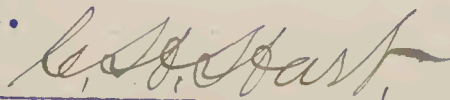
Conspicuous

心

Isle of Wight County, Virginia.

November 24th, 1905.

Received of H. G. Avery, Special Commissioner, in suit of
W. J. Carroll et als, vs Katie Carroll et als., the sum of
\$304.57 , same being the amount due Samuel Carroll, one of
the infant defendants in said suit.

A handwritten signature in dark ink, appearing to read "L. S. Hart", is written over a horizontal line.

Guardian of Samuel Carroll.



No. _____

NORFOLK, VA. November 24th, 1905

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF C. H. Hart, Guardian of Samuel Carroll,

Three Hundred and four & 57/100 ----- DOLLARS
100

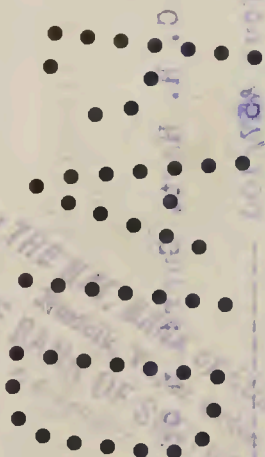
as per decree, in suit of Carroll vs Carroll.

\$304.57

H. G. Avery

Wm. H. Hart, Esq.
of Samuel Carroll.

Wm. H. Hart.



THE NEW YORK
THE BANK OF THE CITY OF NEW YORK
THE BANK OF THE CITY OF NEW YORK
THE BANK OF THE CITY OF NEW YORK

Final Report.

W. J. Carroll et als.
Plaintiffs,
VS In Chancery.
Katie Carroll et als.
Defendants.

In Circuit Court of Isle
of Wight County.

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

In the Circuit Court of Isle of Wight County, Virginia, in vacation,
on the 22nd day of March 1906.

William J. Carroll, Laura Hopkins,
and Edward Hopkins, her husband,
Leetta Barr, and Joseph Barr, her
husband.

Plaintiffs.

VS

IN CHANCERY.

Katie Carroll, Charles Carroll, Jr.,
and Samuel Carroll, infants under the
age of 21 years.

Defendants.

The undersigned Special Commissioner, in above cause, begs
to make the following final report, of disbursements, as shown by
vouchers hereto attached, in persuance of decree entered in this
cause, on the 10th, day of March 1906.

Amount on hand, as share of Katie Montgomery,
(nee Katie Carroll), same being her share of
proceeds from sale of farm, ... \$304.57

Disbursements.

Tax 1904, on \$308.00 assessed against Spec. Com.	\$3.47	
Tax 1905, on \$308.00 " " " " "	3.27	
Amt. paid Geo W. Dey & Sons, on bond, ...	2.50	9.24
		\$295.33

Balance due Katie Montgomery \$295.33—for which amount
Benj. H. Marks, Receiver, has receipted, which makes final disposition
of all money held by me, as Special Commissioner, in above entitled
cause.

Respectfully submitted,


Special Commissioner.

Howard G. Avery,
Attorney-at-Law,
Fladdington Building,

So. States Phone 416.
So. Bell Phone 1514.

Norfolk, Va., March 17th, 1906.

Received of H. G. Avery, Special Commissioner, in Chancery suit of Carroll et als, vs Carroll et als, pending in the Circuit Court of Isle of Wight County, Va, the sum of Two Hundred and Ninety-five & 33/100 (\$295.33) Dollars, same being paid in accordance with decree dated March 10th, 1906, in said suit, and being the share of Katie Montgomery, (nee Katie Carroll) a non-resident married woman, under the age of 21 years.

Bessie J. Marks
Receiver for Katie Montgomery (nee Carroll)

GEORGE W. DEY

GEORGE D. DEY

WALTER H. DEY

ESTABLISHED IN 1869

General Insurance Agency, 112 Plume Street, opposite the Postoffice

SURETY BONDS FOR EMPLOYEES, CONTRACTORS AND IN THE COURTS

NORFOLK, VA.

190

Mr. H. G. Army Special Commr. in suit of Canall vs Canall.

To GEO. W. DEY & SONS, Dr.

*Agents American Bonding Company of Baltimore*FOR ~~INSURANCE~~ PREMIUMS AS FOLLOWS

DATE	POLICY No.	COMPANY	AMOUNT INSURED	PREMIUM	PROPERTY INSURED
<i>1905.</i>					
<i>Sept 28</i>					
<i>For renewal Premium on bond executed in Circuit Court of Isle of Wight County - Va.</i>				<i>\$ 2 50</i>	
<i>Paid 7/24/1906</i>					
<i>Geo W Dey & Sons agts</i>					
<i>WDE</i>					

Premiums are cash and payable on or before the 20th day of the month following date of issue of policy, certificate or renewal receipt. If not paid then, this insurance is void. See policy.

NEWPORT DISTRICT.

No.....

Mr *H. G. Avery Spec. Comr.* Dr.

1/3 of original acct.

1905. To B. L. ROBERTS, Treasurer of Isle of Wight County, Virginia.

	STATE TAXES.				County Levy 30c. on \$100	General County Road Tax 5c. on \$100	District Road Tax 5c. on \$100	Poor Tax 7½c. on \$100	General County School Tax 10c. on \$100	District School Tax 7½c.	TOTAL TAX
	State Tax Support Gov. 20c. on \$100 R. E. & P. P. Schedule B.	State Tax Sup. Gov. 25c. on \$100 PP Sched. C.	State School Tax 10c. on \$100 R. E. & P. P. Sched. B & C	State Tax for Pensions 5c. on \$100 R. E. & P. P. Schedule B							
To..... acres, value \$.....											
To..... acres, value \$.....											
To..... acres, value \$.....											
To..... acres, value \$.....											
Personal property, sched B. val. \$ <i>308</i>		<i>77</i>	<i>31</i>			<i>93</i>		<i>24</i>	<i>31</i>	<i>31</i>	
Personal property, sched C val. \$.....											
Value - - - - - \$.....											
Income, 1 per cent											
Capitation..... <i>150</i>											<i>150</i>
Total.....											<i>311</i>
5 per cent. penalty added Dec 1, 1905.....											<i>16</i>
Total.....											<i>327</i>
Interest after June 15. from Dec. 15, 1905. 6 %											

Received payment..... day of..... 190..... Treasurer. Per.....



No. \$3.47-1/3 due by Katie Montgomery.
\$6.95-2/3 " from Chas. Jr & Sam'l Carroll. July 12th 1906
NORFOLK, VA.

THE NATIONAL BANK OF COMMERCE
OF NORFOLK.

PAY TO THE ORDER OF A. S. Moody, Dep. Tr.
Ten and 42/100 X DOLLARS
100

\$ 10, ⁴²/₁₀₀
1904 Tax Carroll vs Carroll.
A. S. Moody

DECREE.

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

William J. Carroll et als.

VS.

Katie Carroll et als.

No. 3-

We consent to this
decree

W. L. Dock

Guardian ad litem

H. G. Avery, Jr.

Entered July 27, 1903

Robert H. Avery

HOWARD G. AVERY,

ATTORNEY-AT-LAW,

HADDINGTON BUILDING,

MORFORD, VA.

COPIES 2425

ALVAH BUSHNELL CO., LAW STATIONERS, 4 N. 13TH ST., PHILA.

processes, will be promoted by a sale of the whole property.

4. Ascertain the fee simple value of the Real Estate in the Bill mentioned ^{also} the proper boundary lines of said farm- having the same surveyed if necessary.

5. Whether any taxes or other liens are due upon the land in the Bill mentioned.

6. Whether all the necessary parties are properly before the Court: together with any matter specially stated deemed pertinent by the Commissioner or required by any party interested to be stated.

By consent of parties by counsel
and by guardian ~~ad~~ litem
it is ordered that this cause
may be submitted to the
judge of this court for
such decisions and
decrees herein in vacation
as might be made in
term.

In the Circuit Court of Isle of
County:-

William J. Carroll et al.

vs.

Katie Carroll, et al.

Defendants.

In Chancery

Entered names of the parties

And now come the plaintiffs and filed their bill and
W. L. Folk, a discreet and competent attorney at law- is
assigned as guardian ad litem, to the infant defendants,
Katie Carroll, Charles Carroll, Jr. and Samuel Carroll, to
defend their interests, in this suit, and the said W. L. Folk,
as such guardian ad litem, filed the answer of the said infant
defendants and his own answer to the bill of plaintiffs, and
the said Katie Carroll and Charles Carroll Jr. being over fourteen
years of age filed their own answer to which several answers
the plaintiffs by counsel replied generally and the cause
was docketed by consent and coming on to be heard by like consent,
on the bill, answers and replication was argued by counsel:

On consideration whereof the Court doth adjudge, order
and decree that this cause be referred to ~~the~~ one of the
Commissioners of this Court, who is directed to inquire and
report to the Court:

1. Whether the Real Estate in the bill mentioned can
be conveniently divided in kind between the several parties
entitled to share therein.

2. If the same cannot be conveniently divided in
kind whether any party will take the entire property and
pay therefor to the other parties such sum of money as their
interest may entitle them to.

3. And if the same cannot be conveniently divided in
kind, and if no party will take the entire property and
pay the others for their shares- whether the interest of
those who may be entitled to that said property- or its

Vacation Cause Motion.

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

William J. Carroll et als.

VS.

Katie Carroll et als.

No. 4-

HOWARD G. AVERY,
ATTORNEY-AT-LAW,
HADDINGTON BUILDING,
NORFOLK, VA.

In the Circuit Court of Isle of Wight Co:

William J. Carroll et als

Plaintiffs.

vs.

In Chancery

Katie Carroll, et als

Defendants.

William J. Carroll, Laura Hopkins, and Edward Hopkins her husband, Leetta Barr, and Joseph Barr her husband, by their attorney- H.G. Avery- and Katie Carroll, Charles Carroll Jr. and Samuel Carroll, by their guardian ad litem- W.L. Folk, consent that the above entitled chancery suit be made a vacation cause and that all decrees and orders so made and entered in vacation shall have the same force and effect as if made and entered in term.

1 William J. Carroll,
2 Laura Hopkins,
3 Edward Hopkins,
4 Leetta Barr,
5 Joseph Barr,
6 By H.G. Avery, attorney,
7 Samuel Carroll,
8 Katie Carroll,
9 Charles Carroll Jr,
10 By W.L. Folk,
Guardian ad litem

In the Circuit Court of
Isle of Wight County.

William J. Carroll et als.

VS

Katie Carroll et als.

IN CHANCERY.

DECREE.

No. 11.

Entered Aug. 4, 1905
Robert H. Dennis

HOWARD G. AVERY

ATTORNEY AT LAW

HUDDINGTON BUILDING

NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

But the said C. H. Hart, guardian of the aforesaid minors shall not receive any money under this decree until he shall enter into bond, with sufficient security, in the clerks office of this court, payable to the Commonwealth of Virginia, in the penalty of Eighteen Hundred Dollars, (\$1.800.00) and conditioned for the faithful discharge

~~of his duties as such guardian.~~ application of the said funds, and for the management and preservation of any properties 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, and for the investment of said funds from time to time under the direction of the court.~~

Said Special Commissioner shall make report to court.

Robert R. Mentis.
To the Clerk of
the Circuit Court
of Isle of Wight County:

In the Clerk's Office of the Circuit Court for the County of Isle of Wight, this 5th. day of August, 1905, the foregoing vacation decree was received and entered of record.

Teste Johnson Clerk.

In the Circuit Court of Isle of Wight County, Virginia,
in vacation, on the 4th day of August, 1905.

Willam J. Carroll, Laura
Hopkins, and Edward Hop-
kins, her husband-Leetta
Barr, and Joseph Barr, her
husband.

Plaintiffs.

VS

IN CHANCERY.

Katie Carroll, Charles Car-
roll, Jr., and Samuel Carroll,
infants under the age of 21
years.

Defendants.

This cause came on this day to be further heard, on the
papers formerly read, and on the further report of the
Commissioner, this day filed, and was argued by counsel:
on consideration whereof, it appearing from the Commis-
sioners report, that there is in his hands, the sum of
Nine Hundred and Thirteen and 72/100 (~~\$913.72~~) Dollars,
undistributed, the same being the 3/10 interest due the
minor heirs, Katie Carroll, Charles Carroll, Jr., and
Samuel Carroll, from the sale of the James A. Williams
farm, the court doth adjudge, order and decree, that
H. G. Avery, Special Commissioner, do pay to the minor
heirs, through their duly appointed guardian, C. H. Hart,
the following sums: to Katie Carroll, the sum of Three
Hundred and Four and 57/100 (\$304.57) Dollars: to Charles
Carroll, Jr. the sum of Three Hundred and Four and 57/100
(\$304.57) Dollars : to Samuel Carroll, the sum of Three
Hundred and Four and 58/100 (\$304.58) Dollars.

#48
DECREE.

Appointing B. H.
Marks, Receiver for Katie
Montgomery, a married wom-
an, under 21 yrs, and non-
resident.

L. O. B 7106 Page 459

*Enter July 19, 1906
R. W. H. H. H. H. H.*

HOWARD G. AVERY
ATTORNEY AT LAW
HUDDINGTON BUILDING
NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

In the Circuit Court, of Isle of Wight County, Virginia, in vacation,
this the 14th. day of February, 1906.

Upon the petition of Katie Montgomery, (née Katie Carroll.) by
her next friend, W. F. Cook, residents of the State of Missouri, said
petition being this day filed, requesting the appointment of B. H.
Marks, Receiver, said petitioner being a non-resident married woman,
under the age of twenty-one years, it is hereby adjudged, ordered
and decreed, that the said B. H. Marks be, and he is, hereby appoint-
ed said Receiver, of the said Katie Montgomery, under Section 2291,
of the Code of Virginia, as amended. Thereupon the said B. H. Marks,
together with the AMERICAN BONDING COMPANY of Baltimore, Maryland,
his surety, (approved by the judge of this court.) entered into and
acknowledged a proper bond, in the penalty of Five Hundred Dollars,
payable to the Commonwealth of Virginia, and conditioned for the faith-
ful (performance) of all of his duties, as such Receiver. Which bond is ordered
to be recorded. All of which is hereby certified to the Clerk of
this Court, to be entered in the Chancery Order book.

Robert W. Morris

IN THE CLERK'S OFFICE OF THE
CIRCUIT COURT.

COPIES OF THIS ORDER

the 23rd day of Feb'y 1906

the vacation decree

was received and entered of
record

Test, A. Johnson. Clerk

DECREE.

W. J. Carroll et als.

VS In Chancery.

Katie Carroll et als.

In the Circuit Court of
Isle of Wight County.

C.O. 13. No. 6 page 465

*Entered March 10, 1906
White Atkins*

13th March 1906

Vacation Dismissed

HOWARD G. AVERY

ATTORNEY AT LAW

HUDDINGTON BUILDING

NORFOLK, VA.

Jewell & Co., Makers, Phila., Pa.

In the Circuit Court of Isle of Wight County, in vacation, on the
~~8th~~ 10th day of March, 1906.

William J. Carroll, Laura Hopkins, and
Edward Hopkins, her husband; Leetta Barr
and Joseph Barr, her husband.

Plaintiffs.

VS

Katie Carroll, Charles Carroll, Jr.
and Samuel Carroll, infants under
the age of 21 years.

Defendants.

IN CHANCERY.

This cause came on to be again heard, this day, on the papers formerly read, and on the report of H. G. Avery, Special Commissioner, which report is this day filed, to which report no exceptions have been taken, and was argued by counsel.

On consideration whereof the court doth approve and confirm the said report, made by H. G. Avery, Special Commissioner.

It further appearing to the Court, that Benj. H. Marks, has duly qualified and given the required bond, as Receiver for Katie Montgomery, (nee Katie Carroll) she being a non-resident married woman, under the age of twenty-one years, it is hereby ordered that H. G. Avery, Special Commissioner, turn over to Benj. H. Marks, Receiver for Katie Montgomery, and accept his receipt for same, any and all money held by him, as the share of Katie Montgomery, in the Chancery suit of Carroll et als, vs Carroll et als, now pending in this Court.

And the said H. G. Avery, Special Commissioner, is directed to report his proceedings hereunder to this Court.

Robert H. Marks

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

Final Decree.

W. J. Carroll et als.

Plaintiffs.

VS In Chancery.

Katie Carroll, et als.

Defendants.

In Circuit Court of Isle
of Wight County.

Entered March 22, 1906
Robert R. Atwater

24 March 1906

Vacation Decree

doctated
HOWARD G. AVERY

Test Atwater
HUBBINGTON BUILDING
NORFOLK, VA.

In the Circuit Court of Isle of Wight County, in vacation, on the
22d day of March, 1906.

William J. Carroll, Laura Hopkins, and)
Edward Hopkins, her husband; Leetta Barr)
and Joseph Barr, her husband.)

Plaintiffs.)

VS)

Katie Carroll, Charles Carroll, Jr.,)
and Samuel Carroll, infants under)
the age of 21 years.)

Defendants.)

IN CHANCERY.

This cause came on to be again heard, this day, on the papers
formerly read, and on the report of H. G. Avery, Special Commissioner,
which report is this day filed, to which report no exceptions have
been taken, and was argued by counsel.

On consideration whereof, the court doth approve and confirm
the said report, made by H. G. Avery, Special Commissioner.

And there being nothing farther to dispose of in this
suit, it is ordered that it ~~be struck~~ ^{removed} from the docket.

Robert H. Smith

To the Clerk of the Circuit

Court of Isle of Wight County: —

In the County Court of Isle of Wight County the 5th, day of April, 1875.
The last will and testament of James A. Williams, decd., was proved
by oath of Robert W. Bibbs and John T. Holleman, two of the subscribing
witnesses thereto (J. W. Jones, the other subscribing witness being
absent) and ordered to be recorded. And on the motion of Madison
Gwaltney, the executor therein named, who made oath and together with
Minerva Williams, and Leonard H. Gwaltney, his sureties, who justified,
entered into and acknowledged a bond in the penalty of six thousand dol-
lars, with condition according to law, certificate of probate is granted
him on said will according to law, which bond is ordered to be recorded.

Teste, W. F. Young, Clk.

A Copy,

Teste, *W. F. Young* C. C.

In the name of God, Amen: I, James A. Williams, of the County of Isle of Wight, in the State of Virginia, do make and ordain this instrument of writing to be my last will and testament in manner and form as follows, to-wit:

1st. I hereby loan unto my wife Minerva, all of my estate, real, personal and mixed, after paying all of my just debts and funeral expenses, for and during her natural life of as long as she remains my widow for her support, but in the event of her death or marriage, the same to be disposed of as herein provided for.

2nd. In view of the present condition of our country as well as for the more perfect enjoyment of my property by my dear wife, I hereby authorize my executor hereinafter named, with the concurrence of my wife, to sell any portion or all of my estate, real and personal, and to invest the proceeds in the best way their judgment may dictate, either in government securities or land securities. I leave this entirely to the discretion of my wife and my executor to be done if manifestly to the interest of my wife, my object being the greatest good and ease to my faithful wife.

3rd. After the death or marriage of my wife, I give to Leonard H. Gwaltney all of my said estate, which I had previously loaned to my sd. wife for her support during her life or widowhood, but in the event of sd. Gwaltney dying, leaving no lawful issue, I then give the said estate to my two nephews, Charles and William Carroll, sons of my sister Margaret E. Cox, now living in Missouri.

4th. I hereby constitute and appoint my friend Madison Gwaltney executor of this my last will and testament, and if he should die before completing the execution thereof it is my express desire that James Branch shall not be allowed to exercise the office of administrator de bonis non with the will annexed of my estate.

5th. I hereby revoke and cancel all other wills heretofore by me made, in acknowledgement of this whereunto I have set my hand and affixed my seal this 28th, day of April 1869.

Signed, sealed and acknowledged
Ro. W. Gibbs,
J. W. Jones,
John T. Holloman,

James A. Williams, (SEAL)

Exhibit "B"

Personal letters from

George T. Clarke, Bacons Castle, Surry County, Virginia,

to

William J. Carroll and Charles Carroll, of Missouri, and

to their mother, Margaret E. Cox.

Sunny loc. No. 1, Oct. 31st 1868

Messrs. Wm. J. & Lewis Carroll

Dear Sirs:

Your favor of 21st inst. has just come to hand and contents duly noticed. I have seen Mr. Jas. B. Howell, one of the executors, since I received the power of Attorney sent by Messrs. Watkins & Service and he expresses his willingness to pay all except the interest in dispute, as soon as he can see some of his property and get the money for it, but does not know when that will be. He furthermore intimated that as your claim interest he would not pay anything until compelled. On the whole there is no doubt that I shall have to institute a suit in Chancery for you to get them to a settlement and I received the power of Attorney & accompanying directions too late to bring the suit to the Oct. term of our Circuit Court. It cannot now be heard until the May term next and then we can only get a decree for amounts and it will be at least a year from this time before we can make the money. I give you

These facts so that you may not expect the
money too soon and thus be disappointed.
I will however push the matter forward
with all possible speed and do the very
best for you that can be done under the
circumstances.

In regard to the money due your mother
in Super Co., if she will give me the particu-
lars, I will try & collect it for her. Mr.
John H. Lemmick of Willsford, Greenville
Co. practices in Super & if your mother
prefers she can communicate with
him.

Yours Very respectfully &c.
Geo. F. Lemmick

If not delivered within 15 Days, Return to

GEO. T. CLARKE,

Attorney At Law,

**BACON'S CASTLE,
SURRY CO., VA.**



Wm J. Cassell Esq.

Pleasant View

Ray County

Mo.

Long County, Va

Decr. 26th 1868

Mrs. Margaret E. Cox

Dear Madam

Yours of
25th Nov was received several days
ago. I will do all I can for
your sons in this matter
against the executors of their
Grandfather. But in regard
to your claim of \$19. and
interest against those parties
in Super, which has been paid
in Confederate money, my opinion
is that it will cost more to re-
cover it than the claim amounts
to. When I wrote you in relation
to it, I supposed that it was
a larger claim, and I was
not aware ^(of the) difficulties in the

ing of its collection. From your
letter I find that the claim
was collected in Confederate money
by Nicholas Cox as your agent
and that he is since dead.
The questions involved in a suit to
recover this money either of
the first purchaser ^(or) of Nicholas
Cox's estate, would be very grave
ones, entirely too much so to raise
in a matter of so small amount.
If you desire to prosecute this
claim I can refer you to
Charles V. Cook esq., a lawyer
at Super C. H., or to John B.
Lumbly esq. of Hindsford
Greenville County, who practices
in Super. I do not practice
in Super and could not
afford to go there for so
small a claim, especially a
disputed one like this, which

would remain me to go several
times.

Yours Very respectfully
Geo. D. Clarke

GEO. T. CLARKE,
Attorney At Law,
BACON'S CASTLE,
SURRY CO., VA.
Practices regularly in all the Courts of
SURRY AND ISLE OF WIGHT COUNTIES.

Surry Co., Va., April 27th 1863

Mr. Margaret E. Cox

Dear Madam

Yours of 15th has been received &c. I will do all I can for your sons, and have brought suit for them against Howell and others to pay them but from the appearance of things now, very little can be done at my court even if we have any court which is my doubt. All the Officers in the state who could not take the oath or even close oath have been removed from office by act of Congress and we have no Officers at all in our County. The Judge of our Court (Judge Baskin whom I reckon you remember) has been removed and another appointed, but this other can not take the oath and so I suppose we will have no judge for some time to come. There is no Sheriff, Constable or any thing of the kind. Howell was true enough in taking the benefit of the Disfranchisement Law, and while I do not doubt that your sons will get some of their money I will be candid enough to tell you that I do not think they will ever get all of it and it will now

be some time before they can get any of it - unless
indeed they get it by making a compromise. I
have been asked if your sons would compromise
and what they would take for their claim but of
course having no instructions to that effect -
I could not give an answer. Howell has nothing
but his land, of any consequence, and that is
not worth much now, and the other two execu-
tors Richard Henry Howell & Willis Thompson are
both hopelessly insolvent. I think we could set-
tle them in the neighborhood of the principal of the
debt in Cash by compromising at once, but unless
we do that we may not get near so much and
it will certainly be a long time before we can get
any thing. This matter however is for you and
your sons to decide as I am willing to pursue
any course you & they may desire, but I think it
my duty to write you what I think about it.
I wish you would consult them and tell them
to write me immediately if they will compromise
and if so, what is the lowest amount they will
take for their claim. Of course I will get all I
can for them.

Yours Very Respectfully,
Geo. D. Clark

P.S. I will also write to your sons

Yours
Geo.

GEO. T. CLARKE,
Attorney At Law,
BACON'S CASTLE,
SURRY CO., VA.
Practices regularly in all the Courts of
SURRY AND ISLE OF WIGHT COUNTIES.

Surry Co., Va., July 2^d 1859

Mrs. Margaret E. Cox

Dear Madam

Yours of 21st June has
been rec^d. &c. and in reply will say that I
wrote you on 27th Apr. last and mailed
the letter to you on the 29th, but it was
returned to me as uncollected for. I en-
close the letter which I then wrote and
hope you will carefully consider it and
let me hear from you. I also wrote to
your sons at the same time and my letter
to them was also returned to me. I
will however mail it to them again and hope
they will get it this time. We had a Court in
May and I got a decree for accounts in the
Estate. I would however recommend a
compromise because by Bowler going into
Bankruptcy his creditors will all share ^(alike) in
his property which is not near enough to
pay all his debts, but by effecting a compro-
mise I think I can get nearly all his
property applied to the payment of our claims

The discharge in Bankruptcy is not valid
against this claim because it is a fictiti-
ous debt and that is why he is anxious
to apply all his property to the payment
of this debt as far as it will go provided
the balance of the claim which his prop-
erty will not pay shall be released, and
then his discharge will relieve him from
his other debts. But if no compromise is
made then all his creditors will share
equally in his property and you will not
set him so much although if he should
ever make any thing hereafter (which I
think is very doubtful) you could take it
away from him. Please let me hear from
you & your sons as soon as you can

Yours Very respectfully &c

Geo. J. Chubb

GEO. T. CLARKE,
Attorney At Law,
BACON'S CASTLE,
SURRY CO., VA.
Practices regularly in all the Courts of
SURRY AND ISLE OF WIGHT COUNTIES.

Surry Co., Va., April 30th 1870

John, Carroll Esq

Dear Sir:

Yours of 18th. rec^d & c. and
in reply will say that I wrote to you and
your brother and mother several times
during last year and had all my letters
returned to me as recalled for, within 15-
days, according to printed request on the
back of them. The Howell matter stands
thus:—Howell went into Bankruptcy and
Mr. Wm S. Underwood was appointed his
assignee. Mr. Underwood sold his land and
I understand he has collected at least half
the purchase money. I have been trying to
effect a compromise with him but have
not succeeded. Whenever Mr. Underwood col-
lects all the purchase money and gets ready
to pay it out you will get a portion of
it, but I can not tell when that will be.
I am pushing up the bankruptcy suit a-
gainst him as fast as I can under
the circumstances. We are now having

another entire change of our Courts under
the new Constitution and they have been
changed so often in the last two years that
it has been almost impossible to get along
with any business at all. I will push
the matter up as fast as I can, and
will do the best I can for you

Yours very respectfully
Geo. S. Lester

GEO. T. CLARKE,
Attorney At Law,
BACON'S CASTLE,
SURRY CO., VA.
Practices regularly in all the Courts of
SURRY AND ISLE OF WIGHT COUNTIES.

Surry Co., Va., May 18th 1870

Wm. J. Carroll Esq.

Dear Sir:

Yours of 1st inst. received
Ic. and it does seem strange that I can't get
a letter to you at all. I wrote you a few weeks
ago giving you all the information in my
possession in regard to your claim against
Howell and although you seem not to have
rec^d. it when you wrote, yet I hope that
it has reached you before now. Howell, as
I suppose you know, went into Bankruptcy
and his property was sold by his assignee in
Bankruptcy (Mr. Wm. J. Underwood) on a credit
or at least a part of it was credit, and nothing
has as yet been paid over. I have done the best
I could for you & will continue to do so but it
will take time to get your money. I brought
a Chancery suit in the Circuit Court for it
but ever since our courts have been reorgan-
ized, the officers of the courts have been so
little competent to do business and they
have been changed so often that it has been

almost impossible to do any thing. We
have now just organised under our new
constitution and I hope that things will
go on a little better. As to a few weeks
ago none but persons who could turn the
Iron blood Oath could hold office here and
they were very scarce and very incompetent.

Yours very respectfully,
Geo. J. Clark

GEO. T. CLARKE,
Attorney At Law,
BACON'S CASTLE,
SURRY CO., VA.
Practices regularly in all the Courts of
SURRY AND ISLE OF WIGHT COUNTIES.

Surry Co., Va., Aug. 1st 1870

Mr. Margaret E. Cox.

Dear Madam

Yours of 30th July was
rec^d yesterday. You are mistaken in supposing
I did not think enough of your son to answer
his letter. I have written you several times &
tried to explain how this matter stands and
when any change takes place I will immediately
notify you. It is hard work for me to keep
up with my business and write such letters
as are necessary to be written and I frequently
am compelled to allow unimportant letters to
go unanswered. Mr. Underwood (Cous. B.) has sold
Mr. Rowell's land as his apinee in Bunt. Emptey
and rec^d one half the money, the remainder, I
am informed is still unpaid. It is a
hard matter to hasten proceedings in
Bunt. Emptey by force. Whenever I can get
the money or any part of it from the
Apinee I will let you or your cousin
know. Mr. Rowell is not supposed
to be a radical but his apinee is one

Mr. James H. Bell is still living at
the same place and I should
think you could get a letter to him

Yours very respectfully

Geo. T. Clark

THE PATENT OFFICE OF THE UNITED STATES
DEPARTMENT OF COMMERCE
WASHINGTON, D. C.
JAN 10 1880

RECEIVED

50 CENTS

RECEIVED

I send you Clarke letter
in mine of Nov 9

Bucaris Castle, Surry Co. N^c.
Nov. 9th 1870

Mrs. August E. Cox

Dear Madam

Yours of 22nd Oct.

has been rec^d &c. I also rec^d a letter from
one of your sons a few weeks ago which
I did not answer because I thought I would
wait until court was over it being then near
at hand. I did expect to succeed in doing
something for them at the last term of the
court but it seems that there is some faultily-
connected with the matter and that we are
doomed to continued and most unreason-
able delays. Mr. Woodward as you know
is Mr. Bowells Apique, has sold his farm
and collected the money. I expected to get
a decree against him at the last court for
the payment of the money but his wife was
very low and died during the term of the court
so that he did not attend the court at all
and the Judge would not allow any causes
to be taken up in which he was concerned.
Consequently nothing could be done in your
case. I very much regret it but it could not

be avoided. There is no prospect now of getting the money, under six or eight months.

If you will send me the claim against Jos. H. Bell I will try & collect it.

Please forward this letter to your sons or write them its substance, and thus save me the time as I am very much pressed with business, and have to curtail my letters as much as possible.

If the time should ever come when I can bring that suit to a close I will do the very best I can for you & your sons, and I do most earnestly hope that it will not be again delayed.

Yours very respectfully
Geo. S. Benson

Buccon Castle, N^o. Dec 7th, 1870

Wm J. Carroll Esq

Dear Sir

Yours of 26th Nov. rec^d. To day
I also rec^d a letter from you some months
or weeks ago, and one from your mother
about the same time and as both were in
relation to the same subject, I answered hers
and requested her to forward my letter to you
and it would save me the trouble of writing
you. Mr. Underwood's wife died during the last
term of the Circuit Court and he being, bound
in the cause nothing was done in it on
that account. It is impossible for me to tell
you when you will get the money, only that
I will get it as soon as it can be had. The
suit stands just as it was before the last Court.
I would like for you to furnish me with the ages
of yourself and your brother, or some data
from which I can ascertain exactly when each
one of you arrived at 21 years old and it
would be better if you could have the statement
verified by the oath of your mother or some one else.
Please attend to this matter and let me
hear from you soon, and I do hope

to be able to do something for you at the
next term of the Court—

Yours very respectfully &c
Geo. J. Blunt



COURTS:
County and Circuit Courts of
Surry and Isle of Wight
Counties.

GEORGE T. CLARKE,
Attorney and Counsellor at Law,

SURRY C. H., VA.

Jan^y 7th 1873

Chas. Canoll Esq
Dear Sir

In reply to
yours of a recent date, will
say that at the last term
of our Circuit Court I ob-
tained a decree against
the executors of your grand-
father and execution has
issued on it - but I believe
the Sheriff did not find
any personal property. One
of them, Rich^d. W. Howell
has a small plantation
and I shall have to go a-
head to sell that. Our
law requires land that is
sold for debt - under decree

of Court to be held on not
up there, one, two & three
year time. I have proceed
ed against, Underwood in
the U. S. Court and have
had him removed as a prisoner
and the new prisoner will
have to sue him for a
settlement. But he is
gone away from here
& I have not heard from
him in three or four months.
His own family say they
do not know where he is.

I shall be pretty sure to per-
ceive some of the money at some
time out of Mr. V. H. Howells
land, if from no other
source, but when it will come
it is impossible for me to say.

Yours very respy.

Geo. T. Clark

COURTS:
County and Circuit Courts of
Surry and Isle of Wight
Counties.

GEORGE T. CLARKE,
Attorney and Counsellor at Law,

SURRY C. H., VA.

May 7th 1873

Dear Sir:

It seems almost
impossible to raise my concerns
to you. By your advice I will
at my time soon. The first
case of the Court I will have
over to you. I will expect
all the business and I will
what you want, properly they have
been done. The description
under the poor law will be
a sold of the thing and as soon
as anything is sold I will let you
hear from me, but I will make
the thing as soon as I can
I will let you hear as soon as
I can of them. I will let you hear of

Business and relations
these letters

COURTS:
County and Circuit Courts of
Surry and Isle of Wight
Counties.

GEORGE T. CLARKE,
Attorney and Counsellor at Law,

SURRY C. H., VA.

May 17th 1873

Chas. J. Ground in

Chas. J.

I have just recd
from you a copy letter &
in answer to being fully in view
of affairs in regard to the
Horse & I request him
to go down to, in which
case you can be sure of
getting the whole thing done
in. You will find it very
easy that you have a horse
has left the whole and is in
a case of the Western Pacific &
it remains very little about the
same again is to be as the same
Horse & I am very sorry

Yours very truly
G. T. Clarke

Sunny C. St. V. 10th, Nov. 28th 1873
Wm J. Leonard Esq
Dear Sir

Enclosed I send
you the letter which I wrote your
brother last spring and which
was returned to me a few days
ago by the mails. The land of the
Rowells was sold at last last.
One tract sold for about \$100.
and the other for about \$300.
as well as I remember. It had
to be sold in one, two and
three years time according to
our State law, except enough
cash to pay the costs of suit &
sale which I suppose will be
\$75. or \$80.

Very respy I am
Geo S. Clarke

Bacon's Castle, Surrey Co. N^h

Sept. 4th 1871

Charles Carroll Esq

Dear Sir

Yours of 2nd August
rec^d &c. and in reply will say
that I have written to you, or
to your mother and brother several
times that Mr. James S. Bowell
had gone into Beutrupley, and
that all his effects were in the
hands of Mr. Wm S. Underwood
his apigee. I am doing the
best I can to force the payment
of the money, but it is a tedious
process when it is tied up in
two different bonds as is the case
with this matter. I have not
yet been able to collect any of it,
but I am hoping to get a check

for it in October. None of the
executors have any property at-
all and I do not think you
would make much even if
you could take what they have.
Mr. Underwood has seen the land
of Mr. Howell and I under-
stand has collected the money
but he has not paid over any
of it. He has moved from
the County & we may have
trouble in getting it even again
we get a deed for it as he
has very little visible property
and gave no security as a sign.
Set this much however be in confidence
I shall do the best I can to get it
from him this fall

Yours very respectfully
Geo. F. Clarke

P.S. Our regular mail route to
Bacon's Castle ~~has been~~ was broken
up on 1st. July and since then
letters have been greatly delayed
in reaching the office. Sometimes
it will take a letter a month or
more to reach me, that was
written in less than 50 miles of
me

Yours &c
Geo. F.

Exhibit "C,"

Personal letters from

Richard D. Gilliam, Surry Court House Va.

to

W.J. Carroll, of Elk Co. Kansas.

OFFICE OF

RICHARD D. GILLIAM,

Attorney at Law & Commissioner in Chancery,

SURRY COURT HOUSE, VA. *May 19th* 1879

Mr. W. J. Canale
Dear Sir,

Yours of the 4th inst. to hand. The term of the Court commences on the 13th day of May - and I will get the decrees at that term, will collect the money as soon afterwards, and forward it to you. Please tell me how I had best send it. I think a check (Certified) on some bank near you would be a good plan.

Mr. Clark was paid out of the costs of the suit a fee of fifty dollars, and all

of the purchase money of one
of the tracts of land went through
his hands. As you are nearer
your brother than I am perhaps
it would be as well to drop him
a line giving him my address
and telling him to write to
me.

Woodrow has been adjudged
a Bankrupt and nothing
can be heard of him. I shall
look out for your interest and
if there is any chance of
collecting any more, will in-
form you of it at once. If
you should ^{change} your post office
inform me of it.

Yours truly

Richard D. Greene

Sent one of my cards to your
brother

Surry Co. N.C.
July 8th 1879

Wm J. Canale, Esq.
Indian Creek,

Elk Co. Kansas,

Dear Sir:

Enclosed you will find two drafts
on the Union National Bank of
New York, one for thirty four ¹⁸/₁₀₀
Dollars payable to your brother
Chas. Canale, and the other for
thirty four ¹⁶/₁₀₀ payable to your-
self. They are payable
anywhere. I thought it
would be best to send your
share separate from your brother's
so you could send it to him
more easily.

You will remember that in my
first letter I told that there was
about \$100 available in the suit.

that one of the tracts of land was
for \$105, \$38⁶² of which was
paid on account of the cost of
the suit and the balance
payable in installments of
\$22^{12²³}/₁₀₀ each in one two and then
years from the 25th Nov. 1873.

I got the decree at the May Court
& put the bonds in the hands
of the Sheriff who collected
and paid them over to me
on the 24th June. The amt.
of principal was \$66³⁸ due from
Nov. 25 1873 to June 24 1879. \$22²³/₁₀₀
making a total of \$88⁶¹/₁₀₀. As
agreed between us I have deducted
\$20- for my fees leaving the
balance of \$68⁶¹/₁₀₀ for you & your
brother.

I shall watch your interests in
the case and should your uncle
James E. Romee, ever get any
more property, I will claim

said & the proceeds turned
over to you. I shall charge
you only 5 per cent commission
on whatever money I collect
hereafter.

Your Uncle James R. Deere has
been dead several years,

James I. Romee is living and
his Post Office is Spottsville
Surry County, Virginia.

Please acknowledge the receipt
of the drafts.

Yours truly
R.D. Greason

Office of

Richard D. Gilliam,

Attorney at Law,

And Commissioner in Chancery,

Surry Co. B., Va. Jan'y 25 1880

Wm J. Learell, Esq.

Dear Sir:

Your postal
to hand. In reply will say that
nothing has been done since
my last letter. I am care-
fully watching the case and
should there be any chance of
getting anything more, I will
advise you of the fact at once.

Yours truly,

R D Gilliam

2 of
R D Lillian
Letters

Exhibit "D."

Personal letters from

James G. Rowell, of Surry Court House, Va.

to

William J. Carroll, nicknamed "Billy" and "Jesse".

If not delivered within 10 days, to be returned to

Samuel C. Howe
18th April 1877

Mr William J. Carroll

Pleasant View
Key Co Mo

All Available Text Successfully Captured

Burley G. H. H. H.

Shirley County Virginia

March 1st 1846

My Dear Brother

I received a letter from you
some time last fall which I intended to
answer but so it was ^{I put it off} a little trying to gather
up all the news ^{I could} and before I could write
I was taken sick and am just recovering from
a long protracted sickness caused from my
wound. I was wounded in the war and have not
recovered from it yet and ^{am} fearful I shall be a
cripple for life. I was wounded in ^{the} leg and the
ball was never been taken out it was imbedded
so deep that it could not be found so I hope you
will excuse me for not writing sooner. Mrs. H. H.
Dell informed me the other day that he had received
a letter from you he also stated that you said
you were of age and wished to receive your
portion of my Father's estate. well I can tell how
every thing ~~in~~ is about it. I am one of the
~~administration~~ executors Brother Richard and Capt
Shampson are also my Father's will gives you and
Charlie one share that is one equal share with the
rest of his children and that share is \$1307.35
to be divided equally between you two, your share
is \$653.67 1/2. Father's will directs his executors to
hold your portions until you become free and
are not required to pay you any interest but

pay you the principal the money that is due
you I owe myself I suppose now you understand
the matter but ^{what} interests you most is whether you
~~it~~ can get your money forthwith or not, well let
me tell you I am sorry to inform ^{you} that it is not
in my power to settle with you now for this reason
The State of Virginia has passed a stay law giving
the people two years to pay their debts if I could
collect the money due me I could pay you now
as well as any time hence but as I cannot collect
any money it is out of my power to pay any now
If it so I can get the money before the stay ^{law}
out I will pay you as soon as I get it I am in
^{hopes} you will not sue me for ^{it} would just give me more
expense and you would not get your money any
sooner I think I am able to pay it if I did ^{not}
a dollar owing to me, I own all the lands my
father gave me and also some I have come in
possession of since and also my chattle estate
my advice to you is to empower some man to
collect your money so he can give us the proper
receipt Mr Underwood would be a very good man
to do it or any one you please then when I get the
money I could pay ^{it} over to him and he could
~~send it on to you~~ ~~the~~ the stay law does
^{not} release men from paying interest so I shall pay
you the interest when it becomes due That I sup
pose will be next august if ^{you} authorize any one
to collect it when you write to me let me know

when you were free. Well I have said enough on
this subject - I will turn to something else this leaves
us all as well as usual except myself. I am very
lame yet I have two very promising children one
boy and girl the eldest James Watts is little over
eight years Selia Emma is not quite six the
neighbors are generally well James Lane has two
children a boy and girl and another one close
in hand the war has made great reverses among
us, men who used to ride in fine ~~carriages~~ ~~stages~~
now in carriages and buggys has been compelled to
go to work at the plough handles labour is scarce
with us most of ^{the} negroes left before the war stop
and they that are among us are hard to hire
many of them want to settle and walk about and
do nothing half their time all of mine left me
at Christmas but I was fortunate enough to hire
some - some men that ^{own} a great many can hardly
get one to cook for them there is very little
dependance in them sometimes they leave
when you little think of it. It goes very ^{hard} with
any one who has ^{been} used to a different state of
things, I was fortunate during the war not
to lose ^{any} property ~~that~~. I ~~lost~~ ^{except} my negroes
with the exception of three horses I lost in
the service a ^{great} many in the county suffered
from raiders and marauders the war has
made a great ^{many} rich men of south poor
and some few ~~men~~ made little off

Red Coats has got married at last he married
a widow Little your mother knows her she
is the widow of Mr. Joseph Little I need
I have said enough Patsie and the children join
me in love to you and your wife Charlie

Margaret, Bob and all the family

When you write tell ^{the} particulars of ^{the} family

We would be glad have you and your wife
visit us or any of the family tell ^{Charlie} she could
come in if none the rest of you can't

From your Uncle

James G Rowell

Surry County N.C.

April 17th 1874

Dear Jesse

I received your letter dated March 27th a few days ago which you desired me to answer promptly. I am ~~worry~~ sorry you have been misinformed about me by some one. you seem to think I have cheated or swindled you out of your portion of my Father's estate. If you will take my word for it I did not do it. At the time you brought suit against me I went to Mr W. L. Underwood for advice what would be best to do he advised me to go into bankruptcy as he could make my estate ^{responsible} for the debt I owed you and Chas^{and} that he could get me discharged from all the rest of my debts. ~~and appropriate~~ so I thought I could not pay all I owed and my estate would pay your debt. I took his advice. At that time I had perfect confidence in him I thought ^{him} to be a personal friend.

but in the end he turned out every
thing else. he was my assine, he sold the
land received ^{the} money and finally has left
the State and has never paid one cent
over to any body to relinquish your debt
he certainly served me as bad as any man
ever did serve another. I will give you my
onest word if I ever told the truth I have
never received a cent of my estate. ~~Mr~~ Underwood
had in his hands. It seems from the wording
of your letter you harbor a notion that
there was a trick with me and Underwood
and you may be of the opinion I shared
if the spoils it is no such thing and
if any one has informed you to that effect
I positively ~~say~~ they lied. If Underwood
should ever pay that money he has of mine
you shall have it. Mr Clarke had my
interest in the piece of land belonging
to my wife sold last fall and also brother
Richard for your benefit and as soon
as the money is paid you and ~~Chapin~~
will get that much, I suppose between

Three and four hundred dollars which
is that much more than I have. I cant
~~think~~ There is a man living who has had worse
luck with their property than I have had
The war came took my Negroes from me
which I had worked ten years hard to
raise. Then a ^{man} who I thought be a friend
took nearly all the ballance and last fall
your lawyer ^{had} the last piece of property
I possessed (my interest in my wife's land)
sold for your benefit so I possess nothing
and have nothing. I do not see how it will
ever be possible for me to pay you ~~by~~ by my
labour ~~for~~ it is as much as I can do to sup-
port my family I have four children and
three of them are girls. Well I have said
enough if you do not believe it I cant
help it. Times are verry different in this
country now from what they were when
you left here many that were wealthy
then are poor now - some that were poor
then are well off now, many young men
in our country who were raised ⁱⁿ affluence

have now to follow the plough and
hoe, the people are generacly getting ^{on} as well
as could be expected in this poor country
If you write to me again please tite me
Where Bob Cox is whether he is dead or
living &c but if you do not consider me
a gentleman I wish to hear nothing more
from you. My family are all well
as usual

Yours Respectfully

James G. Kearney

Swain County Virginia
June 25th 1866

Dear Jesse,

I received your letter a short ^{time} back
and ^{was} glad to hear from you. You wrote me
that you were 31 years of age August 31st 1865
That is all right and wish I had the money
to settle with you fourth with ~~for~~ of your por-
tion of Father's estate. But the Legislature of
Virginia has passed a Stay Law giving the
people two years to pay ^{and the debtor chooses to pay} their debts so no one
can collect any money now ^{until} until the stay
law is out. You wanted to know when the
stay law would be out, it ^{will} be out January
1868 and ^{that} so as soon ^{as} any one can be made to
pay their debts. I will pay you sooner if I can
collect it, but you cannot force any man
to pay sooner just as soon as I can collect
~~the~~ money I will let you know so you
authorize some one lawfully to collect your
~~money~~ portion of Father's estate, I will not
bother you about it I do not think you will
be able to get ^{it} before the stay law is out
~~I will sooner~~ I will pay it sooner if can
you wanted to know how cousin James Swain
and family were getting on they are doing
very well he is as well off now nearly as he
was before he was though he lost two
negroes but that's nothing to my loss I lost

This misfortune and "crisis" was all my
 (which would have been worth now if had not
 been for some seven thousand dollars or more
 but thank God they are all the property I lost
 If the war had not left me a cripple I think
 I could get on pretty well though I am doing
 as well as I ever did though I have to hire
 all my labour my prospects at present is toler-
 ably promising, ^{especially} for and pea nuts, brandy is
 at present after paying the tax from two
 to two and half dollars per gallon pea nuts
 from 3 to 4 dollars per bushel corn in the
 country ten dollars per barrel but ^{not} quite
 so high in market bacon 20 cts per lb
 and so on in fact every thing is high now
 at least double what it used to be

The neighbors are generally well
we have some sickness & dysentery in progress
disease among us now Father and Children
join me in love to you all. This leaves
all tolerable well at present and hope
it may you and family and all of you.
The same I was sorry to ^{hear} Bob and ^{Harriet} father
-ter I am in hopes they will soon if all ready
come together again and live as man and
Wife, well I have said enough so I will close

Bidding you good bye

Yours Affectionately

Lance B. Howell

Exhibit "E"

Personal letters from

Wm. P. Underwood, Clk.Co. Court, Surry Co.

to

Wm. J. Carroll, Pleasant View, Ray, Co. Mo.

Lyons Co Va
September 26th 1865.

Sir

Yours of the 10th instant I have received
and by way of reply inform you that James D Bell
is dead having died in a Hospital during the war.
Robert Bell is living and well, James G. Howell is
living and well, but badly shot during the war and
will probably finish during life, Jordan G. Wastry is now
living in the State of Virginia, and was well when
I last heard from him. Lyate Shade is alive and
well, James D. Lane is alive and well (his father
Lyate Lane is dead), Edwin Seward became insane
and it is said died in the Lunatic Hospital at
Washington. Mr. Wm. H. Coates and John Coates are
alive and well, but John Coates is totally blind.

Very respectfully

W. J. Underwood
Clark Co. Va. Sept 26.

W. J. Canoll esq.
Pleasant View Rayco. Va.

Exhibit "F."

Personal letters from

James R. Bell, of Surry Co. Va.,

to

William Carroll and Margaret E. Cox.

Surry County Va. Feb^y 28th 66
Cousin William

Your letter has been
Recd. I was glad to hear from you.
You requested me to write you
all about your money. I have
seen James Rowell he says that
he will write you all about ~~your~~
~~money~~ ^{it} therefore I don't think it
is worthwhile for me to write you
the same thing. he appears to be
willing and ready to pay you
your money if he could collect
it, but there is a stay-law past
here and you can compel no man
to pay money unless he sees proper
to do so, and money is very scarce
here more so than I have ^{ever} seen it.

If you wish me to attend to the
collecting of your money write to
that effect and I will let you know

when the money is ready, you
can then send me a power of
attorney and I will attend to it,
the money James Lane owed your
Mother is in my hands, times is
harder about here than I have
ever seen them, every thing is
high and no money.

We have heard that Robert
Locks had become blind, I wish
you to write me all about your
Mother and the family who is dead
and who is living. Mary sends her
love to you ^{mother} and says you must
give it to your ^{Mother} and all the family
and that she must write to her.

This leave us all in usual health
and I hope it will find you all
enjoying the same blessing.

Respectfully Yours
James R. Bule
JD

Surry County June 22nd 1868

Friend Margaret

I Rec^d your letter yesterday, you requested me to write you immediately, and let you know all the news here. There is no good times here, bread stuff is very scarce and very high it is the hardest time to collect money I have ever seen. I don't expect that James Powell can pay any money sooner than next fall if he does then. He says he can't collect any money, he appears to be willing to pay the money if he could get it. I know it is almost impossible to collect money, you can bring suit and get a judgement, but when you would get the money I can't tell. neither can Lawyer Clark he says you may get it in twelve months or it may be a much longer time, you can do as you choose about that, I for have it very wet here and has been all the year. It has damaged our crops very much, we had short crops last year and if we have short crops this year we shall be bad off. I would send you the money I have in hand for you, but I am entirely without money at this time. I had the misfortune a short time back to loose my Horse and was compelled to have another, it has bothered me very much, as soon as I can collect some money I will send it, no more at present but Yours Respectfully

Clark's hostopice
is Bacon's Castle
Mayrands is

Henry Clark

Jas R. White

R. E. Boykin
Custodian of Jas. A. Williams and.

order of qualification

IN THE COUNTY COURT OF ISLE OF WIGHT COUNTY, APRIL 17TH. 1902.

On the motion of Jesse P. Holloway, an heir at law of Jas. A. Williams, deceased, it is ordered that R. E. Boykin be appointed Curator of the estate of the said James A. Williams until administration is granted; whereupon, on motion of R. E. Boykin, who made oath and together with V. W. Joyner and J. G. Wilson, his securities, who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of \$250.00, with condition according to law, certificate is granted him as curator on the estate of the said James A. Williams, deceased. Ordered that the said bond be recorded.

A Copy,

teste

A. J. Young

C.C.

R. E. Boykin Executor
of Jas. A. Williams decd.

order turning account
to Circuit Court

IN THE COUNTY COURT OF ISLE OF WIGHT COUNTY, JULY 6TH/ 1903.

TO THE JUDGE OF THE COUNTY COURT OF ISLE OF WIGHT COUNTY:

You are
herein authorized to enter the order hereto attached on the first
day of the July term/ 1903, the curator agreeing to file his re-
port within 10 days from date.

H. G. AVERY, Attorney for the
heirs of Jas. A. Williams, Decd.

R. E. BOYKIN, Curator.

On motion duly made as provided by section 2710 of the Code of
Virginia by H. G. Avery, Attorney for Wm. J. Carroll, Laura Hop-
kins, Edward Hopkins, Leeta Barr, Joseph Barr, C. H. Hart, guard-
ian for Katie Carroll, Charles Carroll, Jr., and Samuel Carroll,
infants, heirs of the estate of James A. Williams, it is herein
ordered that the accounts of R. E. Boykin, Curator of the said es-
tate, good cause being shown therefor, be removed to the Circuit
Court of this County.

A copy,

Teste, *H. G. Avery* C.C.

Copy of bond
and Power of
Attorney

KNOW ALL MEN BY THESE PRESENTS, That we, Benj. H. Marks and American Bonding Company, of Baltimore, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Five Hundred Dollars (\$500.00), to the payment whereof, well and truly to be, made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents, and we hereby waive the benefit of our Homestead Exemption as to this debt, obligation and contract, and we also waive any claim or right to discharge any liability to the Commonwealth arising under this bond with coupons detached from bonds of this State.

Witness our hands and seals, this 19th. day of February, 1906, in the year of the Commonwealth.

The condition of the above obligation is such, That whereas the above bound, Benj. H. Marks was by a decree of the Circuit Court of Isle of Wight County, Virginia, entered on the 19th. day of February, 1906, in vacation, duly appointed receiver of the estate of Katie Montgomery, an infant non-resident married woman, under section 2291 of the Code of Virginia, as amended, now if the said Benj. H. Marks, shall faithfully discharge the duties of his said office according to law, then the above obligation to be void; otherwise to remain in full force and virtue.

Signed, sealed and acknowledged
in the presence of the Benj. H. Marks, (SEAL)
Court.

(SEAL) American Bonding Company of Baltimore

By Geo. W. Dey, Attorney in fact.

In the Circuit Court for the County of Isle of Wight Virginia, in vacation, on the 19th. day of February 1906. This bond being acknowledged by the obligors therein, Benj. H. Marks in person and American Bonding Company of Baltimore by Geo. W. Dey, Attorney in fact is ordered to be recorded.

Teste, Robert R. Prentis, Judge.

a copy, TESTE? A. S. Johnson, cu C.C.

Maryland, duly appointed to take proof and acknowleggment of Deeds and other instruments, came H. H. Stryker, 4th. Vice President, and F. B. Owens, Ass't Secreatry, of the American Bonding Company of Baltimore, to me personally known to be the individuals described in and who executed the preceding instrument, and they each duly acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the Seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation

In testimony Whereof, I have hereunto set my hand and affixed my Notarial Seal at the City of Baltimore the day and year first above written.

Millard Leonard, Notary Public.

(Seal)

POWER OF ATTORNEY FROM AMERICAN BONDING COMPANY OF BALTIMORE.

TO

George W. Dey,

KNOW ALL MEN BY THESE PRESENTS, That AMERICAN BONDING COMPANY OF BALTIMORE, a corporation created by and existing under the Laws of the State of Maryland, of the City of Baltimore, Maryland, and duly authorized to act as sole surety in the State of Virginia has made, constituted, and appointed and by these presents doth make, constitute and appointed George W. Dey of Norfolk, Virginia, its true and lawful attorney for and on behalf of the said corporation as Surety, to make, sign and acknowledge a Bond in the penalty of FIVE HUNDRED (\$500) Dollars to be executed by Benjamin H. Marks as Principal conditioned for the faithful performance of duties as Receiver of the estate of Katie Montgomery to be appointed by the Circuit Court of Isle of Wight County, or by the Judge thereof in vacation, hereby approving, ratifying and confirming all that its said attorney may do or lawfully cause to be done in the premises by virtue of these presents.

In Testimony Whereof AMERICAN BONDING COMPANY OF BALTIMORE has caused these presents to be signed by H. H. Stryker, 4th. Vice President of said Company and its corporate seal to be hereunto affixed this the fifteenth day of February 1906.

AMERICAN BONDING COMPANY OF BALTIMORE,

By H. H. Stryker, 4th. Vice Pres.

(SEAL)

Attest: F. B. Owens, Ass't Secretary.

State of Maryland,)
) S. S.
City of Baltimore,)

On this 15th. day of February A.D. 1906, before me Millard Leonard, the subscriber, a Notary Public for the State of

Wm J. Canoll etals
vs. Geo. W. Nohce

Kati Canoll etals

COMMISSIONER'S OFFICE,

May 15th. 1903.

To William J. Carroll, Laura Hopkins, Edward Hopkins her husband, and Leeta Barr and Joseph Barr, her husband, plaintiffs, and Katie Carroll, Charles Carroll Jr., and Samuel Carroll, infants under the age of twenty one years, defendants.

You are hereby notified that I have fixed upon the 26th. day of May, 1903, if fair, if not on the next fair day thereafter (Sunday excepted) to take and settle, at my office, the account:

1. Whether the real estate in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein.
2. If the same cannot be conveniently divided in kind whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to.
3. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares-whether the interest of those who may be entitled to that said property-or its proceeds, will be promoted by a sale of the whole property.
4. Ascertain the fee simple value of the real estate in the bill mentioned also the proper boundary lines of said farm- having the same surveyed, if necessary.
5. Whether any taxes or other liens are due upon the land in the bill mentioned.
6. Whether all the necessary parties are properly before the Court: together with any matter specially stated, deemed pertinent by the Commissioner or required by any party interested to be stated.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight, rendered on the 27th. day of April, 1903, in a suit in Chancery depending in said Court between William J. Carroll et al. against Katie Carroll et al., 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.

H. J. Young comm.

Service of the above notice is acknowledge-
for May 26th 1903-

William J. Carroll -
Laura Hopkins -
Edward Hopkins,
Leeta Barr,

Joseph Barr -

By *H. J. Young*,
atly for Plaintiffs.

COMMISSIONER'S OFFICE,

May 15th. 1903.

To William J. Carroll, Laura Hopkins, Edward Hopkins her husband, and Leeta Barr and Joseph Barr, her husband, plaintiffs, and Katie Carroll, Charles Carroll Jr., and Samuel Carroll, infants under the age of twenty one years, defendants.

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3. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares-whether the interest of those who may be entitled to that said property-or its proceeds, will be promoted by a sale of the whole property.
4. Ascertain the fee simple value of the real estate in the bill mentioned also the proper boundary lines of said farm- having the same surveyed, if necessary.
5. Whether any taxes or other liens are due upon the land in the bill mentioned.
6. Whether all the necessary parties are properly before the Court: together with any matter specially stated, deemed pertinent by the Commissioner or required by any party interested to be stated.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight, rendered on the 27th. day of April, 1903, in a suit in Chancery depending in said Court between William J. Carroll et als against Katie Carroll et als., 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.

A. D. Young comm

*I hereby acknowledge service of the above
notice*

May 19th '03

W. L. Dock

Guardian ad litem

Wm J. Carroll et al

w. } Com: Notice

Kate Carroll et al

The Estate of James A. Williams
deceased in account with
R. E. Boykin curator

Filed June 29th 1903

	To commissions on \$3.97 receipts	20	
	To balance,	210 64	
June 29th.	By balance on last account,		290 73
	By interest,		3 97
		\$ 294.70	\$ 294.70

COMMISSIONERS OFFICE, ISLE OF WIGHT COUNTY COURT,

JUNE 29th. 1903.

TO THE COUNTY COURT OF ISLE OF WIGHT COUNTY:

Your Commissioner reports to the Court that on the 29th. day of June, 1903, R. E. Boykin, Curator of the estate of James A. Williams, deceased, exhibited before your Commissioner a statement of all the money he had received, become chargeable with, or had disbursed during the period embraced in the foregoing account, together with the vouchers for such disbursements; that your Commissioner included the said curator in the list of fiduciaries whose accounts were before him for settlement, which was posted at the front door of the court house of the said County on the first day of the June term of the said County Court, (1903) and on the date of this report, ten days having elapsed since the said list was so posted, made up and completed the foregoing account. And on the date of this report, finds a balance of \$210.64 due by the curator to the said estate.

Your Commissioner further reports to the Court that he has examined whether the said curator has given such bond as the law requires, and whether it is in a penalty and with security sufficient, and finds the same to be unobjectionable but penalty insufficient

Given under my hand as Commissioner of Accounts of the said County Court on the day and year first aforesaid.

C. J. Yanna.
Commissioner.

#####

THE ESTATE OF JAS. A. WILLIAMS, DECEASED, IN ACCOUNT WITH R. E. BOYKIN,
CURATOR.

1902.

Aug. 15th.	To paid for notices for renting farm for	
	1903.	1 25

1903.

Jan. 23rd.	To paid R.A. Edwards, Sheriff for renting	
	out farm,	2 50
Feb. 6th.	To paid taxes for 1901	23 64
Mar. 1st.	To paid commissions on \$334.86 receipts,	16 74
Apr. 7th.	To balance,	290 73

1902.

Apr. 12th.	By this amount received from Lonnie Jones,	
	being the proportionate part of the	
	rent of the James A. Williams farm for the	
	year 1900, the rent of the said farm for	
	the said year was \$125.00 and the sum of	
	\$16.50 being the amount due the estate of	
	L. H. Gwaltney, who died March 5th. 1900	108.50
"	By this amount received of Jason Jones for	
	rent of farm for year 1901 less \$23.64 paid	
	by said Jason Jones for taxes for the	
	year 1900,	101.36
"	By this amount received from Jason Jones	
	for rent of farm for year 1902	125.00
		<u>\$ 334.86</u> <u>\$ 334.86</u>

1903.

June 29th.	To paid W. S. Holland, Attorney fee for	
	three trials of action of unlawful entry	
	and detainer case for possession of said	
	farm by Holleman vs. Jason Jones	50.00
	To paid taxes for year 1902	26 25
	To retained to pay Clerk and Commis-	
	sioner, for making, reporting and record-	
	ing this account	7 61

Field notes and plat of the J. A. Williams land surveyed Aug 15th 1903 Beginning on County road leading from Moon Light to Burnsville Bay at a small pine tree at head of easement and run along said road to a pine at intersection of "Pine Lane" road and corner on the land of R. H. Randolph Est. - thence along said Pine Lane road S. 18° W. 8.00 S. 8° W. 4.00 S. 16° W. 3.00 to branch thence S. 77° E. 2.50 S. 74° E. 2.00 S. 72° E. 2.00 S. 70° E. 2.25 S. 68° E. 2.30 S. 70° E. 3.30 S. 65° E. 3.00 to ditch S. 65° E. 13.50 to "line house" thence S. 77° E. 2.75 S. 87° E. 4.00 S. 86° E. 3.00 to branch thence S. 67° E. 2.55 S. 36° E. 2.50 S. 83° E. 2.30 S. 40° E. 2.70 S. 30° E. 1.70 S. 10° E. 2.30 S. 9° E. 2.35 S. 16° E. 2.00 S. 30° E. 3.00 to path thence along said path S. 70° E. 2.00 S. 60° E. 2.00 S. 48° E. 1.00 S. 58° E. 4.00 to oak tree on "Saw yard" road and corner on the State land thence S. 67° E. 5.00 S. 44° E. 2.00 N. 88° W. 3.00 S. 74° W. 3.00 S. 47° W. 2.00 S. 37° W. 4.00 S. 88° W. 1.80 S. 69° W. 2.00 S. 88° W. 2.25 S. 48° W. 5.60 S. 51° W. 9.40 S. 43° W. 8.00 S. 77° W. 2.90 S. 86° W. 4.00 S. 81° W. 11.00 N. 83° W. 14.00 thence due West 7.00 to oak tree corner Dr. W. S. Turner thence North 74° W. 11.75 to pine thence N. 25° W. 3.50 to pine thence N. 24° W. 11.60 to pine thence N. 23° W. 14.30 to gum tree thence N. 31° W. 17.50 to place of beginning. Area 483 2/100 acres



Scale one inch = 10 ch.
J. W. Hance,
County Surveyor.

Cost of plat \$10.00

Plat and Survey of the
J. A. Williams Land