

1908-009 Chancery Cause: James E. Nelms vs Mary E. A. Eley, widow of Robert J. Eley
Isle of Wight County

↓
Petition of Inez Eley, Alene A. Eley, & Lavonia Eley, by & c

other surnames: Powell,
Pinner, Butler, Horton,
Gray, Andrews, Stringfield,
Darden, Atkins, Jenkins,
Holland

report the same to Court; and that Your Orator
may have such other, further and general re-
lief in the premises, as the nature of his case
may require, or to Equity may seem meet.
And Your Orator asks, as this Suit is for the bene-
fit of all the parties interested, that there may
be a reasonable allowance for Counsel fees for
conducting the Suit,

And Your Orator will Ever Pray &c.

James E. Melius
By Geo H. Wright, his
Attorney.

Hansemond Courty N. Y. C.

This day, Jas. E. Melius, per-
sonally appeared before me & made oath that
the statements of the foregoing bill of complaint are
true to the best of his knowledge & belief.

Given under my hand this 26th day of Feb 1886,

Geo H. Wright N. Y. C.

Wright. P. G.

Jas. E. Nelson - P. G.

r } In Charge

Mr. E. A. Eley - P. G.

Bill & Exhibits -

March (Ms. 1885) - Bill &
exhibits - filed - Secus. exp. on
adults exp. & de. vici.

Gen. auditor app'd to the
infants. exp. and their ans.
Solid & good result.

April (Ms. Bill taken for
confed. as to adult debts.
& set for hearing.)

April term 1886, Dren
for a cto. & c.

Oct. term 1886, Dren
confg. Rpt. & for san &c

Oct. term 1887, Decree

April term 1888. de. for aban

Cir Ct. Isle of Wight Co.

April term 1890
de. for accounts

April term 1892
de. to collect, pay out &c.

~~Order adding above & have de.~~

April term 1896
de. to collect from Wright pay out &c.

June 1, 1908

To Hon Geo. Blount Judge of the Circuit Court of
the State of North Carolina:

Complaining sheweth
unto Your Honor, Your Orator, James E. Helms,
of the said County the following case: That
at the April term of the County Court of said
County in the Year 1844, Commissioners ap-
pointed by the said Court to assign Dower to Mrs
Elizabeth Powell, then the widow of Mills E. Powell
Deed, read their report, assigning to said widow,
a tract of land in the said County, as and for her
Dower in the Real Estate of her deceased husband,
Estimated to contain 276 acres; that the residue
of the Real Estate of said Mills E. Powell was dis-
posed of in some way, to Your Orator unknown, hav-
ing the above named tract of 276 acres to his wid-
ow during her life & after her death to his children
in fee simple. The said Mills E. Powell left only
two children, to wit: Wm H. Powell and Mary J.
Powell, who became the owners in fee simple of
the said land upon the death of their mother. On
the 13th day of May 1868, Wm H. Powell conveyed his
undivided one half interest in the said land to
R. A. Primer, a copy of said Deed being herewith
filed and marked "A", as part of this Bill, and
on the 10th day of February 1872, said R. A. Primer
conveyed the same interest to Your Orator, a
copy of said Deed being filed herewith as part

of this Bill and marked "B", and by this conveyance your Orator became possessed of an undivided and whole interest in said tract of land, subject only to the right of power therein of Elizabeth Powell, who, after the death of her first husband, married Butler.

The said Mary J. Powell, the remaining heir of Mills E. Powell, married one Gay, by whom she had one child, a daughter, and this daughter married one Geo. D. Horton, by whom she had ~~three~~^{four} children, to wit: Mattie G. - Anna M. - Floyd B. - and Fannie A. Horton. Said Gay died, and his widow, Mary J. Gay (née Mary J. Powell) afterwards married Andrews, by whom she had two children, to wit: Wm. Andrews and Mattie Lou Andrews; the said Mary J. Andrews (née Powell) died several years since, leaving her three children above named as her sole heirs, and each entitled to one sixth interest in said tract of 276 acres. The said Wm. N. Andrews, by Deed dated the 1st day of Sept. 1879 conveyed his undivided one sixth interest in said tract of land to Ro. J. Eley, that some time during the year The said Ro. J. Eley departed this life leaving a widow M. E. A. Eley and three children, to wit: Suz - Alena A. and Lavinia A. Eley, who thus became the distributees of the undivided one sixth interest purchased by Ro. J. Eley from said

Wm. H. Andrews,

Mattie Lou Andrews, married John E. Stimpfield and a short time thereafter departed this life, leaving an infant child, which also died in infancy soon after its birth, and Your Orator is advised and believes that the interest in the said land of said Mattie Lou Andrews, by her death and the death of her child in infancy reverted to the other heirs of the said land, thus leaving Your Orator J. E. Helms, and the widow and three children of R. J. Eley, the grantor of Wm. H. Andrews, and the four children of Geo. D. Harton, as the only distributees of the said land; the said Elizabeth Powell, afterwards Elizabeth Butler, having now departed this life.

Now Your Orator alleges that in the present condition of the said land, it can not be managed with any profit to any of the parties having an interest therein. The guardians of the said infant children, are not authorized or able to make any outlay on their part for the improvement of the land, and Your Orator can not with justice to himself make expenditures for the improvement of it. The income derived therefrom is too small to be of any advantage, and Your Orator believes that a sale of said land, and division of the proceeds among the parties according to their respective rights, would be greatly to the advantage of all the parties interested. But if this can not

be done then your Orator desires that his individual interest may be set apart to him. But as your Orator is without remedy in the premises save by the aid of a Court of Equity, where such matters are alone and properly cognizable and relievable, your Orator prays that the said M. E. A. Eley, widow of R. J. Eley Decd., Inez Eley, Allen^a Eley & Lavinia A. Eley (the three last named being infants under the age of twenty one years), Geo. D. Horton, Mattie G. Horton Anna M. Horton, Floyd B. Horton and Fannie A. Horton (the four last named being infants under the age of twenty one years) may be made parties Defendant to this bill, and required to answer the same (the said infants by a guardian ad litem to be assigned), though answer upon oath is waived; that one of the Commissioners of this Court may be required to take, state and report to Court and account of the said land, with its fee simple and annual values; also an account showing who are the parties entitled to share in the distribution of the said land, and their respective interests therein; also an account showing whether the said land is susceptible of partition in kind among those entitled thereto, or whether the interests of all the parties will be promoted by a sale of the land and distribution of the proceeds (the said Commissioner, for this purpose taking evidence of persons familiar with the land) and

To the Honble John Will Judge of the Circuit Court of Isle of
Wright County in chancery sitting

The petition of Mary Ely Alice C Ely and Lucina C Ely infant
and defendants to the bill of complaint of James B Nelson vs
themselves and others pending in your honorable court, by
McA Ely their next friends. Respectfully shows that they are
aggrieved and injured by so much of the report of Commissioner
or Yarny filed in said cause on the 11th day of September 1886
and confirmed by decree of said court of October Term 1886.

as relates to the share of this land in said proceedings men-
tioned which belonged to Matthew L Stringfield formerly Mat-
the L Anderson. Your petitioners admit it to be true as
stated in said report that the share of the said Matthew L
Stringfield descended on his death and on the death of his infant
child to William H Anderson, and the infant children of George
D Gordon, but your petitioners show that the said William H
Anderson, by his last bearing date on the 13th day of January
and recorded in the clerk's office of Isle of Wright County court
1880, conveyed the interest in said land which he inherited
from his sister Matthew L Stringfield and her infant daughter
into Robert J Ely the father of your petitioners, and the said
interest descended to your petitioners on their father's death.

A ~~certified~~ copy of said deed and certificate of recordation,
marked A is herewith filed and prayed to be taken as part
of this petition.

Your petitioners further show that the said William H Anderson
being as is shown by said report a brother of the whole blood and
the said Gordon children, children of a sister of the half blood
of the said Matthew L Stringfield. he inherited two thirds of said

share and the Haddon children ^{collectively} one third, so that the interest
of the said William Haddon & his heirs so entitled and conveyed is
two thirds of one eighth or one ninth of the whole tract of
land, and your petitioners insist of being entitled to one eighth
of said land as shown by said report is entitled to one eighth
and one ninth or five eightieths.

Your petitioners are informed that being infants they are
entitled to their day in court and to have said decree con-
firming my said report & seeing as they therefore pray your
honor to examine so much of said report as is herein
objected to that your honor will decree them the amount
of the proceeds of land which they are ~~shown~~ shown to
be entitled

W. A. E. Ely next friend
of Mary Ely Alice A. Ely and
Lavinia A. Ely
by Geo. R. Williams
their attorney

Return

on

Ely & others

Petition of
Infants heirs at law
of
Robert F. Ely

Oct 21. 1887

Taken by leave of Ct.

To the Circuit Court of Isle of Wight county.

The joint and several answer of Eney Eley, Allen A. Eley, Laura A. Eley; And Hattie G. Horton, Anna M. Horton, Fanny B. Horton and Fannie A. Horton, by N. P. Spring their gdw. additively appointed to defend them, to the Bill filed against them and others, in said Circuit Court, by James E. Delmes.

These respondents, by their said guardian additively, having and receiving all manner forfeitures &c. for answer to said Bill, say that they are infants of tender age. That they neither admit nor deny the allegations of said Bill, but being infants, they submit their interests to the protection of the court. And having answered, pray leave to be dismissed with their costs &c.

N. P. Spring gdw. ad
litam to said infants

Helm

to. 3 In clay.

Elig. tabs.

Infants as usual filed
Moul. R. 1886.

are as follows:

Advertising	7.50	
Auctioneer	10.00	
Clerk (own Costs)	10.58	
attys fee (added in costs)	15.00	
Commission on Sale	25.80	\$68.88

If to this be added the fee of \$50⁰⁰, which I do not think unreasonable, as the purchaser assumed its payment, this deduction from the payments made to me, would leave the fund in my hands \$205.12, + interest. But until an order of contribution is made and I have failed to comply with the same, I do not understand how a judgment can be entered against me and my Society.

This entire proceeding seems to have been conducted upon the false assumption that I had secreted or destroyed the papers in the cause for the purpose of avoiding a settlement. As they have been found, I submit, that the rule should be discharged, and customary orders in such cases be first made -

Respectfully,
Geo. H. Wright.

Melius

vs { In Chancery.

Eley's Infants & als

Answer of
Jas H. Wright Court to
rule against him.

Filed Sept 24th 1893

Nelms

203

Eley's defaults & als

To Hon C. W. Hill, Judge of the Circuit Court of Isle of Wight Co =

If I understood correctly the Order in this cause, it is a rule against me to show cause why judgment should not be entered against me as Commissioner & my surety for the sum of \$324⁰⁰ & interest.

It is true this cause has been on the docket several times. My report of sale was filed in the papers, & subsequently, as I remember, an order for re-sale, if the purchaser did not comply. The purchaser was making an effort to comply, & made payments as follows:

Sept 3 ^d 1887	\$35.00
Nov 7- "	29.00
Dec 6 th "	35.00
Jan 5 th 1888	40.00
Feb 12 th "	30.00
Sept 8 th "	30.00
Dec 15 th "	75.00
Dec 21- 1889	50.00
Total	\$324.00

At this point he had effected an arrangement to secure the balance & complete the payment, where on ~~my~~ suggestion by some one that he could not make a deed or I could not make him a valid

And, this plan was defeated, and at the next ensuing term of Court, on motion of Counsel for the distributees of the fund, some order which I do not now recall was made in the cause. After that term the papers in the cause became reissued in some way and I have never seen them since, though it was intimated that I had destroyed the papers - a few days after my release, the papers were found, & I was clearly exonerated, though the statement of the Clerk, that he had my receipt for the papers placed me in a position in which I could not reply to the imputation, unjust as I knew it to be.

So far as I know there has never been an order for distribution in the cause, and the rule as made, takes no account of expenses & costs of sale paid by me, nor of commissions and fees to which I am entitled. All my vouchers for costs paid were destroyed with my office on Aug 1st 1888. When the suit was instituted first in the name of Nelson, Plaintiff, it was under an agreement for a fee of \$50, no part of which was paid, and when Nelson sold his interest in the land to the party who afterwards became the purchaser, it was with the distinct understanding that he assumed the payment of this fee. This fact can be established by Mr J. E. Nelson, the original Plaintiff. The costs paid as I can best recall them at the present time

The Commonwealth of Virginia,

Nansemond

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

WE COMMAND YOU TO SUMMON ~~Edmond Eley~~, Mary E. A. Eley, Infy

Eley, Allen A. Eley, Lavina A. Eley, the last three infants - and
G. D. Horton, Hattie E. Horton, Anna M. Horton, Floyd T. Horton
and Fannie A. Horton, the last four being also infants.

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court,
on the first Monday in *March* next, to answer *the Bill in chancery*

J. E. Helms

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *22^d* day of *February*

188*8*, in the *110th* year of the Commonwealth.

N. P. Young clk

J. E. Helms

To.  Sum. Tax
ans. Reed in
Clay.

M. a. C. Clay stor.
//

To March Reels 1886.
Jno. H. Wright pays

Fee Not Paid

Specimen 25th July 1886, & delivery - true copy sent
to the within named, A. D. Harten.

AS Young & Co. by: for
John A. Ridgway, Sept: 4
Newmarket Town -

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Mary E. A. Eley, ~~Emma Eley~~, Mary*
Eley, Allen A. Eley, ^{and three infants,} Savina A. Eley, George D. Horton, Hattie
G. Horton, Anna M. Horton, Ford B. Horton and Fannie A.
Horton, etc lost four also infants.

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court,
on the first Monday in *March* next, to answer *the Bill in chancery*
J. E. Nelson

of a plea of _____ for \$ _____ Damages

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *22^d* day of *February*
188*0*, in the *110th* year of the Commonwealth.

N. P. Young CLK.

J. E. Nelson

3
3
3
Sum. To ad.
Bill in chq.

M. C. A. Eley et als.

//

To March Rules, 1886.

✓ Jno. H. Wright Jsg.

Executed by delivering
to the within name
Mary E. A. Eley a
true copy of the within
Summons Feb 23rd 1886

A. B. Edwards
clerk

For R. A. Brown

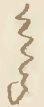
On this 10th day of September 1886,
before me N. S. Younga Commissioner in
Chancery of the Circuit Court of Isle of
Wright County, personally appeared John
W. Darden and R. W. Atkins, who being
first duly sworn, depose and say that,
they are citizens of the County of Isle of
Wright aged respectively, 38 and 25 years.
That they are acquainted with the land
in the proceedings of the suit of J. E. Nelson
vs. M. E. & A. Clay & others pending in said
Court. That they consider the fair market
value thereof \$600.00 and the annual
value \$45.00 That from their knowledge of
said land it would be very injurious
to the parties interested therein to divide
it in kind, because it would have to
be cut up into eight or ten parcels,
which would render it of little value
to each party entitled, and that they
are of the opinion that the interests
of the parties would be more promoted
by a sale the resp^t & division of the proceeds,

John W. Darden
R. W. Atkins

Sworn to and subscribed by the officers the
day & year first aforesaid.

N. S. Younga Com.

Nelson J. E.

m.  affidavit
of witnesses

Clay et. al.

Filed with rept. of
Comm. Young 10th
Sept. 1880.

"

Helmer, J. E. et al., vs In chy.

Eley R. Jo. infants et al.

In Isl of Wight circuit court.

On this 10th day of Octo. 1890, before an
U. P. Young, a commissioner in charge of the
circuit court of Isl of Wight county, per-
sonally coming from Jenkins, Henry Hol-
land and R. A. Edwards, who being
sworn, depose and say, to wit:
The said J. W. Jenkins says that the land
in the proceedings mentioned was sold
by Jno. H. Wright spl. commr, under order
of said court, on the 5th day of Sept. 1887,
and purchased by Henry Holland for \$840.⁰⁰
That he has been informed by said Jno.
H. Wright commr. that said Henry Holland
has paid him at different times up to
the time of said information, in the
aggregate \$324.⁰⁰ and that he believes,
from his knowledge of the value of said
land, that the said sum of \$840.⁰⁰ was a
good price for said land, and that the
interests of the infant defendants will
be promoted by a satisfaction of said debt.

Given ^{under} hand
J. W. Jenkins

Henry Holland deposes that he has
heard and read the above affidavit of
J. W. Jenkins and concurs with him
in what he has deposed to. He affirms
that he has heard W. J. H. Wright say
that the said sum of \$324.⁰⁰ has been
paid to him as commr. in said land. And that
he, the said Holland goes to said land for \$15.⁰⁰ each
payable in 1 + 2 years for said debt of \$300.
Henry Holland

The said R. A. Edwards deposes that
he knows the land in question
and believes the price of \$840.⁰⁰
for which it sold, was a fair
value for said land, and that
it will be beneficial to the infant
defendants to satisfy the debt made
by Com. Geo. H. Wright for \$840.⁰⁰
affirmed

R. A. Edwards

The foregoing affidavits were signed and
affirmed to the day & year first above written,
Date, N. P. Young Esq.,

Witnesses
C. M. Dorchy,

Eleg & H. A. S.

Evidence taken
by Com. Young,

In the Circuit Court of Isle of Wight County,
James E. Nelson Plaintiff.

vs.

In Chancery.

M. E. A. Eley, Mary Eley, Allen A. Eley
and Harriett A. Eley, the last three being
infants; and G. D. Norton, Hattie G.
Norton, Anna W. Norton, Floyd B.
Norton and Fannie A. Norton, the last
four being, also, infants

Defendants

To the said Circuit Court of Isle of Wight County.

Pursuant to a decree of the said court,
rendered in the above case on the 30th day
of April, 1886, requiring one of the commissioners
of the court to report, first, an account of the
real estate in the Bill and proceedings mentioned,
of which Mills E. Powell died seized, and was
assigned to his widow as dower for her dower,
showing the quantity, and the fee simple and
and accrued value thereof. Second, an
account showing what were the heirs and
distributors of the said land before the
death of the said Elizabeth Powell, and
whether any of the said heirs disposed
of their interests, or any part thereof in
the said land, and to whom, and who are
the present owners or parties entitled thereto,
and their respective interests in the same.
Third, Whether said land is now susceptible
of partition in kind among the parties entitled
thereto, or whether the interests of all the parties
would be promoted by a sale of the said land
and distribution of the proceeds thereof. And

if the court shall consider the said land not susceptible of partition in kind, he report the facts or evidence upon which opinion is based. And whether any one or more of the parties will take the said land and pay to the others the sum due them respectively. Your commissioner reports to the court that, on the 17th day of August last, he issued notices to the parties, plaintiffs and defendants, that he had filed upon the 10th day of Sept. 1886, as the time, and his office at the Court house of said County as the ^{place} for taking evidence and making and reporting said accounts & inquiries. That said notices were duly served and returned to your commissioner. That from the evidence in the cause, your commissioner finds that, the lands whereof Mills E. Powell died seized and possessed and which was assigned to Elizabeth Powell, his widow, as her dower, consists of a tract of 276 acres, lying in Isle of Wight County near "Knoxville", and adjacent to the lands of Mallory Vaughan, Gale Johnson & Edith & Penelope Redd, as shown by exhibit "A" filed with the bill in this cause.

That the fee simple value thereof is \$1000 00

And the annual value thereof is \$45 00

That the heirs and distributees of the said land upon the death of the said Elizabeth Powell, were Mary Jane Powell and William H. Powell, the only children of said Mills E. Powell. That the moiety of said land which was owned by the said Mary Jane Powell descended, at her death, as follows - $\frac{1}{3}$ to her four grand children viz: Hattie G.

Anna M. - Floyd B. - and Fannie A. Norton, infants -
1/3 to William H. Andrews, and the other 1/3 to
Mattie F. Andrews, who are children of said
Mary Jane by a second marriage, so that the
said infants, the four Norton grand children,
became the owners of 1/6; the said W. H. Andrews
1/6 and the said Mattie F. Andrews 1/6.

By deed from W. H. Andrews to Robert J. Eley
he conveyed his interest, or said 1/6, to said Ro.
J. Eley, and that is now owned by his infant
heirs viz: Mary Eley, Allene A. Eley & Lavina A.
Eley, and in which the widow of said Rob. Eley viz:
Mary E. A. Eley has right of dower.

The said Mattie F. Andrews married John E.
Stratfield by whom she had one child and died
leaving said child her surviving. The 1/6 interest
thereof, of the said Mattie F. is held by said
John E. Stratfield, the father of said dead infant
as tenant by the curtesy, with remainder to
the said W. H. Andrews, uncle, and the
aforesaid infants, children of Norton, heretofore,
~~and the said dead infant.~~

The moiety of said dower land which belonged
to said W. H. Powell, was conveyed by deed
to Robert A. Pinner and by the said Pinner
was conveyed to, and is now owned by the
Plaintiff James E. Nelson.

Your commission, from the evidence before, and
herewith filed, reports that the said land,
is not susceptible of partition in kind
among the parties withholding to their interests,
and that he is of opinion from the evidence

and his own personal knowledge of the land, that the interests of all the parties would be promoted by a sale of said land and a distribution of the proceeds thereof. Your Commissioner further reports that from information before him, it appears that no one or more of the parties, is willing to take the said land and pay to the other parties the amount to which their interest therein entitles them to.

Given under my hand as a Commissioner in chancery of the said Circuit Court, this 10th day of Sept. 1886.

N. D. Young Comr.

Then employed in printing notices, taking evidence & making report v. D. Shaver. J. W. Darden fees . 50
R. W. Atkins do . 50
Com. fee \$12.00

Shffer. " 1.00
13.00

Report of Commr.
Young, under direction
of Cpl. term 1886.

Filed Sept. 11th 1886.

October term 1886 -
Confirmed by Court.

Alfred J. as. E.
vs.
3 Dr. Clerk.
They et als.

Nelms

vs

Eley's Infants

} In Chancery,

vs How CW, Hill Judge of the Circuit
Court of Isle of Wight County:

The undersigned,
Special Commissioner to sell the land mentioned in the
proceedings in the above styled cause, reports that
Henry Holland the purchaser of the land has not
yet made the cash payment of one fourth of the
purchase price, though he has Executed bonds for
the deferred payments; and Your Commissioner
asks for instructions in the matter.

Respectfully Submitted

Jas. H. Wright

Dep^y Comm^r

Nelms

vs

Eley's Infants & als

Report of
Special Commⁿ

am 1. Okt. 1888.

am 1. Sept. 8 1888.

Paid

am 1. Dec. 15. 1888

1st Sales Bond am Sept 7th 1888

am 1. ~~Dec.~~ Dec. 15th 1888.

Paid

am 1. Dec. 22 1888.

Paid

am 1. May 11th 1892

2nd Sales bond am Sept 5-1889

am from Sept 5th 1887 to May 11th 1892

681.33
324.00
357.33
302.77

44 81

1 3-4

46 35

30 00

16 35

26

315 00

24 15

16 61

1

389 15

355 76

75 00

280 76

33

281 09

30 00

281 09

46 95

278 04

315 00

88 31

403 31

681.53

320.77

B

A Statement showing the amount due by Henry Holt and for the purchase of land bought of J. A. Wright commissioners in and of Adams as Ely and others, the price of which was \$840.00 of which one fourth was payable in cash and the remainder in one and two years with interest from day of sale.

Cash payment

due to Dec 3 1887

Paid

due to Nov 7 1887

Paid

due to Dec 27 1887

Paid

due to Jan 6th 1888

Paid

due to July 12. 1888.

Paid

and amount over

210 00

98

210 98

35 00

175.98

1 00

176 98

29

147 98

1 28

149 21

40

109 21

16

109 37

35

74 87

46

74 81

30 00

44 81

91089

N. P. YOUNG,
CLERK OF COURTS,
ISLE OF WIGHT CO., VA.

Judge Geo R. Atkinson
Smithfield
Va

Forbes filed
with Comdr
Young report
in suit of Nelson
v. Eley et al.
rendered
of May 2. 1890

\$35.⁰⁰

Recd of Henry Hallam thirty-five dollars
on account of Cash payment on loan.

Geo H. Wright

Oct 3^d 1887

Spk Comm

Oct. 3. 1897

46.17

\$29⁰⁰

Recd of Henry Holland Twenty
Nine Dollars, an account of land
sprinklers under Deed of Court
Nov 7th 1887

Recd of Albright of Court

Nov 7/82



4,03

\$30⁰⁰

Recd of Henry Holland & Co
Dollars on account of purchase
of land

Wm H Wright

Spl Comm^r

Feb 12th 1858

Feb. 12 / 88

362

Sept. 8/88,
2.60

\$ 30⁵⁰

Suffolk Va Sept 8th 1888

Received of Henry Holland
Thirty dollars on account of sale
of land.

Geo. N. Wright Spl^l Comm^r

Dec. 15/88

✓
5.25

JOHN H. WRIGHT,
ATTORNEY AT LAW.

Suffolk, Va. Dec 15 1888

Mr Henry Holland
Windsor

Dear Sir:

I have your letter enclosing
check of Mrs. M. Taylor for \$75. in part-
payment on the land. As I lost all my
books by fire on the 1st of August. You
will have to come down and bring
your receipts with you, so I can make
up the account and know exactly
what the balance is. I wish you would
do this as soon as you can.

Yours Truly
Jno. H. Wright

Dec. 21/88



819

\$50⁰⁰ Recd of Henry Holland
Fifty Dollars on account of
land.

In H. Wright Sp^l Com^r
Decr 21-1889.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at

RETURN TO:

Stamp here name of Post Office

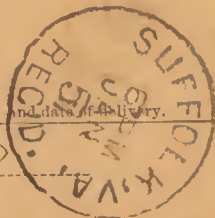
Name of Sender

Street and Number, }
or Post Office Box. }

Post Office at

County of

State of



REGISTRY RETURN RECEIPT sent

July 3rd, 18*88*

Reg. No. *6* from Post Office at *Wardour St*

*Reg. Letter }
Reg. Parcel } Addressed to

John A Wright
New York Co

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

LD RECEIVED THE ABOVE DESCRIBED REGISTERED { *LETTER.
PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines
to the right.

When delivery is made to other
than addressee, the name of both
addressee and recipient must ap-
pear.

35.00
John A Wright
W. J. Wright
\$35.00

117
5

* Erase letter or parcel according to which is sent

REGISTRY RETURN RECEIPT sent

Dec 26th, 18 87

Reg. No. 52 from Post Office at

Windsor Va

*Reg. Letter }
Reg. Parcel }

Addressed to

John H Wright
Windsor Va

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED

*LETTER.
PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines
to the right.

When delivery is made to other
than addressee, the name of both
addressee and recipient must ap-
pear.

40
Jno. H. Wright
077

* Erase letter or parcel according to which is sent.

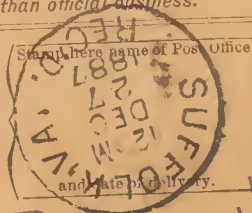
When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.
A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at

RETURN TO:



Name of Sender

Henry A. Mann

Street and Number, }
or Post Office Box. }

Post Office at

Wrentham

County of

Suffolk

State of

Ma

Commissioner's Office,
Isle of Wight County, Octo: 10th, 1890.

To the Circuit Court of Isle of Wight County:

Pursuant to a decree of the said Circuit Court rendered on the 2nd day of May, 1890, in a Chancery Suit therein pending between James E. Kelms &als. pltffs.; and M. E. A. Eley & the infants of R. J. Eley decd. &als. defts., directing a commissioner of the said Court to inquire and report whether or not it will be to the interests of the infant defts. to ratify and confirm the sale made by special Commissioner John H. Wright reported in the proceedings in this Cause; and also to inquire and report what has been collected by said special Commissioner Wright from the purchaser; your Commissioner reports to the Court that on the 13th day of May, 1890, he issued notices to the parties informing them that he had fixed upon the 13th day of June, 1890 to make said at his office the inquiries and report aforesaid and requiring them to attend - service of which notice was duly acknowledged by the counsel for the pltffs. and defts. - and for reasons appearing to the Commissioner on the day so fixed upon, the execution of said decree was continued and remained continued from time to time until the date of this report, when, from the evidence before your Commissioner herewith filed, he has ascertained, first - that it will be to the interests of the infant defts. to ratify and confirm the sale made by special

Commissioner John H. Wright on the 5th day of Sept. 1887 of the land in these proceedings mentioned, which was bid off and purchased by Henry Holland for \$840.00 - secondly - that of the said purchase money there has been collected by said special Commissioner Wright from the said purchaser the following sums, and at the following dates, to-wit: on the 3rd day of Octo: 1887 the sum of \$35.00

on the 7th day of Nov: 1887 29.00

on the 27th day of Decr: 1887 40.00

on the 12th day of July: 1888 30.00

on the 6th day of Aug: 1888 35.00

on the 8th day of Sept: 1888 30.00

on the 15th day of Decr: 1888 75.00

on the 2nd day of Decr: 1888 50.00

making the total amount recd: by Comr: \$324.00

Your Commissioner reports further that it was in evidence before him that the said purchaser executed his two bonds to the said Commissioner for the sum of \$915.00 each, payable respectively in one and two years for the deferred payments on said land

Given under my hand as Commissioner the day and year first aforesaid.

J. P. Young Commr.

Comr. for fortune \$8.00

Jerim Jenkins Comr. 50

Henry Holland " 50

R. A. Edwards " 50

Cash for Comr. \$9.50

Helms et al.

vs. 3rd Clap.

Clap et al.

Rept. of Comd. Henry
under dated of May
2^d 1890.

Filed 10th Octo. 1890.

In the Circuit Court of the County of Wright Co.

The 11th day of May 1897.

J. E. Nelson

Plff.

vs.

$\frac{2}{3}$ Jn. Chas.

Luzzy Chas, Alina A. Chas & Lavina A. Chas & Dr. Dr.

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner Young made under decree herin of May 2^d 1890, and was argued by counsel; On consideration whereof, the court doth confirm said report, to which no exception has been filed, and doth adjudge, order and decree that William S. Holland and George R. Atkinson, who are hereby appointed commissioners for that purpose, either of whom may act, shall proceed to collect of Henry Holland, the purchaser of the land in the proceedings mentioned, the sum of six hundred and eighty one dollar and fifty five cents, being the balance of the purchase money of said land as shown by statement "B," filed in the papers, with interest on \$546.09 part thereof from May 11th 1897, and after paying the costs of this suit, shall pay one half of the balance thereof to the

said Henry Holland, one fourth thereof to the legally qualified guardian of Lucy Eley, Alice D. Eley and Lavina D. Eley; Two ninths thereof to G. D. Hoston and the legally qualified guardian of Hattie G. Hoston, Anna M. Hoston, Floyd B. Hoston and Fannie A. Hoston, and one thirty sixth part thereof to William H. Andrews, and make report to court of their proceedings under this decree.

But before the said commissioners, or either of them, shall proceed to execute this decree, he or they shall before the Clerk of this Court enter into a bond with sufficient security and waiver of their honest and execution, in a penal sum of \$1000.00, conditioned for the faithful performance of this or any future decree herein. And on the payment by the said Henry Holland of the said purchase money, the said commissioners or either of them - may act, shall execute and deliver to the said Henry Holland a good and sufficient deed with special warranty for the land in the proceedings mentioned.

And the Court doth further adjudge, order and decree that a rule be

entered against John H. Wright, the
 Commissioner of Sale needed decreed
 hereto of October term 1886, and H. J.
 Artueau his security in his commis-
 sioner bond to appear at the next term
 of this court, and show cause why
 judgment shall not be entered against
 them for the sum of \$524.00 received
 by the said John H. Wright as such Com-
 missioner of sale and interest thereon.

A copy.

Teste, H. O. Young clk.

Costs to May 1897, viz:

Atts. fee	15.00	
Tax on writ	1.50	
Clerk's fees	20.08	
Shff. of Infld.	1.50	
Shff. " " (Belgham)	.50	
Shff. " " (Raults)	.50	
Comm. Young - 2 refs. -	20.00	
J. W. Dandew with	.50	
H. W. Atkins "	.50	
Irvin Jenkins " paid	.50	Irvin Jenkins
Henry Holland " paid	.50	Henry Holland
H. A. Edwards "	.50	
Total	\$ 62.08	
	22.81	Cons
	5.50	Dring dead
	90.39	

Stevens et al.
vs. $\frac{3}{4}$ Moley,
Eley's infant et al.

Copy made of
May 11, 1897.

De cuss

Van cher & c

Report

14.85-

80.50

80.50

161

~~81.04~~

Recd of W S Halland. Special Commissioner
Fifty Cents for acknowledging a Recd from W. S.
Halland to Henry Halland John M Taylor
Aug 20/92

Recd. Aug. 22nd 1892 of W.S. Hall and spe. comm.
in suit of Nelson J.S. vs. Eley et. al. Sixteen
(16) dollars and 67 cts in full of my interest
in proceeds of sale of land in said suit.

W. A. Andrews Jr

Rec'd. August 22nd 1892 of W.S. Holland
the sum. Adams J. E. vs. Eley et. al. three
hundred (300) dollars and thirteen⁽¹³⁾ cents
it being my share in proceeds of sale of Betty
Butler land sold under decree in said
suit.

J. S. Peerman

Witness

A. J. Peerman,

Admission

3 Pies of Coats
3 today 1892

Eleg at Dr.

//

Nelson, M. Ely et al - Chy,
 Rule Court,
 Atto. fee & Com 15.00
 Tax on suit 1.50
 Clerk's fees 20.58
 Stiff. " J. of W. 1.50
 Do. " Same 1.00
 J. W. Hadden ltr. .50
 R. W. Atkins " .50
 Jackson ltr. " .50
 Holland ltr. " .50
 Edwards, R. A. " .50
 Conner, Young - 2 Refs. fee 20.00
 Costs to May 11. 1892 \$ 62.08

Recd,

M. P. Young coll.

Mr R Atkins
Cousin

Dr. F. J. [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Wm. S. Holland,
Attorney.

Suffolk, Va., Aug. 23rd 1892

To \$0.50

The Farmers Bank of Nanslemend
Pay to the order of

Rev. R. Atkinson

\$7⁵⁰/₁₀₀

Seven + 50/100

Dollars

one half any fee in suit of Adams J.S. vs Ely et al

W. S. Holland

Wm. S. Holland,
Attorney.

Suffolk, Va. Aug 28rd 1892 No. 81

The Farmers Bank of Nansemond
Pay to the order of

Geo. R. Atkinson \$11 $\frac{41}{100}$
Eleven & 41/100 Dollars

one half cents on amt. Collected H. Hall and Col in suit of Atches J.E.
vs Eley et. al.

W.S. Hall and

Pay to the order of _____
\$100.00
CITIZEN BANK OF NEW YORK
Walter H. Logan, Cashier

Mrs R Atkins on
O. W. Wilson

1
Mrs R Atkinson atty for gen
of Mrs Alice L. Leland

FOR DEPOSIT
TO THE CREDIT OF
THE BANK OF SMITHFIELD,
A. S. BARNETT, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va., Aug 25th 1892 No. 84

150 The Farmers Bank of Nansemond

Pay to the order of

Geo R. Atkinson atty for gdn. of Inez, Aline O. L. Ely

\$150 ⁰⁶/₁₀₀

one hundred and fifty - and ⁶/₁₀₀

Dollars

In full of net proceeds of Coll. from Mary Holland in suit of
Hans J. E. vs Ely et. al.

W. S. Holland

Dec 2^d



Mr N. P. Young

C. A. Tele. of cash to N. P.

2

Melius

31. $\frac{1}{3}$ Keels sec.
3 fortnight

Eley char

Retn. 26. July 17

News

Mr. { Secy, Mr.
Eley { Wright &
{ Atkinson

Other papers in
hands of G. R. A
atto,



Mr N. P. Young
Isle of Wight
Cart House

Clay 9th & Helices
clay.

These papers were
received by mail
from Mr. R. S. Thomas
on the 10th day of
Decr. 1892

A. P. Young et al.

Mr. P. Young & Son

San Francisco

Pa



Suffolk Va

Oct 15th 1887

Recd of Geo. N. Wright, Spl Com^r
in Helices vs Elegals, Eight
dollars, fee for selling land in
said Suit in Isle of Wright Co
Va

T. J. Clements
by
W. R. Clements

\$315⁰⁰

One Year after date with interest from date
We hereby promise to pay unto Geo H. Wright Special Commis-
sioner &c, his Heirs, Executors, Administrators or Assigns,
the just and full sum of Three Hundred and Fifteen Dollars
and — Cents, for value received; for the payment of which
we bind ourselves, our Heirs, Executors and Administrators firmly
by these presents; and we hereby waive the benefit of our Homestead
Exemption as to this debt and obligation.

As witness our hands and seals this 5th day of September,
in the year of our Lord one thousand eight hundred and eighty-seven

Witnesses:

J E Rhoads
E A Watkins }

Henry Gallou
George White
Henry + Rose
Calvin Lewis
M. H. H.



\$ 315⁰⁰

Two years after date, with interest from date
we hereby promise to pay unto Geo. H. Wright, Special Commis-
sioner, his Heirs, Executors, Administrators or Assigns,
the just and full sum of Three Hundred and Fifteen Dollars
and Cents, for value received; for the payment of which
we bind ourselves, our Heirs, Executors and Administrators firmly
by these presents; and we hereby waive the benefit of our Homestead
Exemption as to this debt and obligation.

As witness our hands and seals this 5th day of September,
in the year of our Lord one thousand eight hundred and eighty-seven

Witnesses:

J. C. Rhodes
E. A. McKissick

Henry Walton



John H. White



Henry D. Loe



Calvin L. Loe
mch.



To Hon C. W. Hill, Judge of the Circuit Court of
Isle of Wight County Va-

In the Cause in Chancery,
pending in said Court, ~~from~~ between J. E. Nelson Plff
& R. J. Eley's heirs & als Defendants, the undersigned,
appointed Special Commissioner for the purpose
reports that pursuant to an Order made in said Cause
he sold in front of the Court House Door of said County
on Monday the 5th day of Sept 1887, the land in the Bill
of proceedings mentioned, to Henry Holland, for the sum of
Eight Hundred Forty Dollars, that being the highest bid
for the same, the purchaser, Henry Holland, owning a
One half in Trust in the land

Respectfully submitted

Geo H. Wright, Spl^l Comm^r

Paid for advertising

\$ 3.75-

" Archiver's Elements

\$ 8.00 \$ 11.75

Law Offices of

WRIGHT & HOGE.

Roanoke, Va., Oct 26 1892

Dear Thomas:

In the matter of which I spoke to you
on ~~Monday~~^{Saturday} last, (Melrose vs Elegg infants & ad)
I was there to answer the summons issued by the Court
to show cause why judgment should not be entered
against me & my surety. In the first place, this pro-
ceeding has been based upon the false assumption and
intimation that I had taken the papers in the case and
had either lost or destroyed them. The fact is that I did
not have them at all. In the second place, other coun-
sel represented the parties entitled to the fund. I should
have settled the matter long since, but for the fact that
one of the Counsel persuaded the purchaser that I could
not make title to the land & he stopped paying. I then de-
termined to let him work it out. If there has ever been
an order for distribution, I have never heard of it, & until
such order was made & I failed to make distribution I do
not see how they can ask for judgment against me or my
surety. When I fail to distribute, under an order for distribu-
tion, they have a right to ask for judgment. I was the commis-
sioner to sell & the purchaser gave bonds &c. How bonds should

Law Offices of

WRIGHT & HOGE.

Roanoke, Va.,

189

be collected & I should carry out the decree of the Court. I was to receive a fee of \$50 for bringing the suit, as agreed on between J.E. Nelson & myself. When Nelson sold his interest to Henry Holland, after the suit was brought, it was with the distinct agreement of Holland that he would pay this fee, or in other words, would take Nelson's place. Holland having purchased at the sale, this fee should be deducted from the amount paid, also the Commission on \$840⁰⁰, amount of sale, the taxed atty's fee \$15⁰⁰ & wit tax paid by me \$1⁵⁰ & fee for Deed to purchase \$5⁰⁰. Then the net amount should be distributed according to the respective rights of the parties. I paid J.J. Clements, auctioneer \$8⁰⁰ for selling the property & Booker \$4²⁵ for advertising sale, making in all, including my fees &c, \$110⁰⁵ to be deducted from the amount received by me. If the case is called up next week, I wish you to represent me in the matter, and have a statement made of the sums due the parties respectively & I will pay it. But I insist that I have the right to close the matter.

There is a suit of Cornelia S. Williams & J. C. Johnson vs J. J. Johnson's widow & infants & al., on the docket. It was bro't

Law Offices of

WRIGHT & HOGE.

Roanoke, Va., ... 189...

As subject J. F. Johnson's Real Estate to the payment of his
debts. I wish you would take charge of it & get the deeds
for sale. Some accounts were directed some time since
but I don't know whether they were ever taken. Joshua
Bradshaw's daughter, Mrs B. R. Johnson, has a lien, by assign-
ment of a note originally given to R. R. Riddick of Suffolk. If
the accounts have not been taken, have it done, & put your-
self in as Commissioner to sell the land. I understand they
are willing for a deed for sale to be entered. It is simply
impossible for me to look after these matters, as my business
here does not justify my leaving it to look after those down
there.

I have written Judge Hill about the Bank suit, & asked him
to enter the deeds for accounts which I put in the papers.
I don't know whether he will do it, but if you still have the
papers in your possession, hand them to him, with the de-
eds which I put in them. I have written Mr. Stephenson also
about associating you in that case & hope he will get so it.
If any other cases come up in which I am interested, I should be
glad if you would represent me. I do not recall them, but you
can see -
Yours Truly Jno. H. Wright.

Law Offices of

WRIGHT & HOGE.

Roanoke, Va.,

189

~~and I agreed to this. If you are willing to come
into this case you can with me. I should be glad to
have you do so, but if not, if you do I should raise
no objection to your getting a firm for money who
are willing to pay it and let it come out of what they
agreed on with me, as I am confident of the success of the
suit. But if you cannot agree to go into the case, then
I wish you would ask for the decree for an order, as it
will not be possible for me to be there on the 15th.~~

In the suit of Eley vs Nelson & als. - I understood Judge At-
kinson to say that no report of sale was in the papers the
last time he saw them. I certainly filed a report of
sale, and the purchaser delaying compliance, I thought
I took an order for re-sale, though I did not resell, as
about that time he commenced to pay. If there has ever
been any order for distribution, I have never seen it, as
the last time the case was up in Court, the distribution
was deferred to make other parties to the suit. Hence I could
not distribute, & it is necessary to know the respective in-
terests before distribution can be made. The costs of
suit are to be paid first. I understood the suit upon
an agreed fee of \$50⁰⁰, & I suppose this is now to be re-

justice, but upon examining the papers, I think you will
see that no order of distribution was ever made, and
until that is done, I can't understand how my fees
can be opposed. Let an order for distribution be
made & then let me know the respective shares, and I
expect to pay every dollar for which I am liable.
I herewith Enclose the bonds of Henry Holladay given
for the deferred payments & think Judge Atkinson must
have referred to these as not filed, instead of to the report
of Sale. But to cover that point also, I enclose report
of Sale, which you can put in if none has been
filed.

Let me hear about the Bank Suit in which I hope
you will insist upon the decree for accounts. and
also about the other matter -

Yours Truly
Geo. N. Wright.

James E. Melus
vs. } In Chancery -
M. E. A. Elmer & Co.

This cause came on this day to be heard upon the Complainant's Bill and Exhibits filed therewith, and upon the answers of the infant defendants by their Guardian ad litem, & was taken for confessed as to the adult defendants, they and was argued by Counsel.

On consideration whereof the Court hath adjudged, order and decree that one of the Commissioners of this Court do proceed to take, state and return to Court an account of the Real Estate in the Bill and proceedings mentioned of which ^{as for his widow} ~~James E. Powell's~~ ^{was assigned to his widow} ~~seized~~; showing the quantity and the fee simple and annual values thereof, 2^d An account showing who were the heirs and distributees of the said land, upon the death of the said Elizabeth Powell and whether any of said heirs disposed of their interest or any part thereof in the said land, and to whom, and who are the present owners, or parties entitled to distribution therein, and their respective interests in the same. 3^d An account showing whether said land is now susceptible of partition in kind among the parties entitled thereto, or whether the interest

of all the parties would be procured by a
sale of the said land and distribution of the
proceeds thereof, and if he shall consider the
said ^{land} not susceptible of partition in kind he
will report to Court the facts, or evidence upon
which such opinion is based, and whether any
one or more of the parties will take the said
land and pay to the others their ^{several} ~~respective~~
due shares respectively.

J. E. Harris Paid
to J. E. Harris on
M. & A. Exp. at 100

Leave for Accounts

To be Entered

Geo. Harris.

Apr 20th 1886.

Entered to B.

In the Circuit Court of Isle of Wight
County, the 20th day of April A.D. 1886.

J. E. Nelson

vs:

Plff:

In chancery

Endora Eey, Mary E. A. Eey, Izey Eey, Allen
A. Eey, Laminia A. Eey, the last three infants
and G. D. Horton, Otis G. Horton, Anna M.
Horton, Floyd B. Horton and Laminia A.
Horton, the last four being also
infants - - - - - Left:

This cause came on this day to
be heard upon the complainant's
Bill and exhibits filed therein and
upon the answer of the infant defend-
ants by their guardian ad litem, and
was taken for confessed as to the infant
defendants, they having failed to appear
and plead, answer or demur, and
was argued by Counsel: On considera-
tion whereof the Court doth adjudge
order and decree that any of the
commissioners of this Court as pro-
ceed to take, state and return to Court,
an account of the Real Estate in the
Bill and proceedings mentioned of
which Mills E. Pounce and seized
and was assigned to his widow

as and for her dowry, showing the
quantity and the fee simple and
annual value thereof. 2nd An
account showing who were the
heirs and distributees of the said
land, upon the death of the said Eliza-
beth Pounce and whether any of said
heirs disposed of their interest or any
part thereof in the said land and to
whom, and who are the present ~~own-~~
ers, or parties entitled to distribution
therein, and their respective interests
in the same. 3rd An account
showing whether said land is now
susceptible of partition in kind among
the parties entitled thereto, or whether
the interest of all the parties would
be promoted by a sale of the said land
and distribution of the proceeds
thereof - and if he shall consider
the said land not susceptible of
partition in kind he will report
to court the facts, or evidence upon
which such opinion is based, and
whether any one or more of the parties
will take the said land and pay to
the others the sums due them

Respectfully.

Very,

Yours:

A. S. Young clb.

12 N
3, 11

Almus J. E. II.

vs: } In clay:
Every stone

Apr. term Cir. Ct. 1886.
Copy Dec. for acct.

Notice of Land
Deeded in Boston
to 10 Sept. 1886
to the S of W of the
other - Deeds - 1886

act.

Amos, E.)

20

City & also

to the Chancellor.

This cause came on this day to be again heard upon the papers, formerly read, and upon the report of Commissioner H. P. Young, made pursuant to an order hereto of the 20th day of April 1886, to which report no Exceptions have been filed, and was argued by Counsel.

On consideration whereof, the Court approving and confirming the said report, doth adjudge, order and decree that Geo. H. Wright, who is hereby appointed special Commissioner for the purpose, after advertising the time, place and terms of sale for three successive weeks, in the "Suffolk Herald" and by traced bills posted at the Court House door of Isle of Wight County, and at two or more places in the vicinity of the land in the proceedings hereinafter, do proceed on some Court day, in front of the Court House door of Isle of Wight County, to sell the said land by public auction and upon the following terms: On fourth of the purchase money, in Cash, and for the remainder, he will give a credit of one and two years, lasting from the purchase or purchases, bonds for the deferred payments, with good personal security and bearing interest from the day of sale, and retaining

the title until the further order of the Court. But if
the purchaser or purchasers shall elect to pay
the entire purchase money in Cash, the Said
Commissioner is authorized to receive the same
and deposit the same in the Cash payment
required in the Farmers Bank of Hausman
to the Credit of the Court in this Cause and will
report his action to Court for Confirmation.
But before the said Special Commissioner shall
proceed to act under this decree, he will Execute
a bond before the Clerk of this Court with Security
to be approved by him, in a penalty of twelve
hundred dollars, and containing a waiver of
the Homestead Exemption, conditioned for the
faithful discharge of his duties under this
or any future Order to be made hereon.

Run. & E.

25 }

Eng. & als

Oct 21st 1886

Deer

To be Entered,

Genl. Blw. 9.

Entered
#23—

Chapman

no

See other

Weaver

Subscription

1887

Johnston

C. H. Hill

Entered

No. 17

James E Nelson

Plaintiff

vs

Ely and others

This cause came on this day to be argued here on the papers formerly read and on the petition of the Defendants Lucy Ely Maria A Ely and Lawrence A Ely then duly filed by leave of court and was argued by counsel. The court then upon being of the opinion that the share of said Martin A Strongfield of the land in the proceedings mentioned descended on his death to his Brother W A Andrews and the children of his W A Andrews; the said W A Andrews taking two thirds and the said Andrew children one third, and the said W A Andrews being so much of $\frac{2}{3}$ of one eighth or one ninth of the whole conveyed by his will of January 13th 1880 conveyed one fourth of said land to Robert Ely. Both ways, order and decree that. The said Lucy Ely, Maria A Ely, and Lawrence A Ely are jointly entitled to one fourth of said tract of land, the children of his W A Andrews to two and the third of the said W A Andrews to one thirty sixth part thereof and James E Nelson to one half thereof.

James E Nelson	$\frac{1}{2}$	=	$\frac{18}{36}$
Lucy Ely	$\frac{1}{4}$	=	$\frac{9}{36}$
Maria Ely	$\frac{2}{9}$	=	$\frac{8}{36}$
Lawrence Ely	$\frac{1}{36}$	=	$\frac{1}{36}$

Nelson
" } Dr Chy
Eley's Infants & abs

Decece.
To be entered
Cmte

April 21st 1888.

Entire # 8.

Nelson

vs

Eley's Infants & al.

} In Chancery

This cause came on this day to be again heard upon the papers formerly read and upon the report of Special Commissioner Geo. H. Wright, and was argued by Counsel: On Consideration whereof the Court doth adjudge Order and decree that unless Henry Holland shall, within 90 days from the date of this decree, complete the cash payment as required by Decree of Sale in this Cause, the said Special Commissioner shall proceed upon the terms of the former decree, to resell said land at the Costs of said Henry Holland.

Return

to

May

May 2 1890

be can

To be entered

C. M. H. C.

Entered #3

Notes

25.

Elly et, al.

This cause came on this day ^{to be heard} on the papers formerly read the petition of Henry Holland & Irvin Jenkins and W. H. Andrews & Co. and was argued by Counsel on consideration whereof the Court doth adjudge, order and decree that, one of the Master Commissioners ~~of this Court~~ ^{of the Court} enquire and report whether or not it will be to the ^{interest of the} ~~benefit~~ dependants to ratify and confirm the ~~sole reported~~ by Special Commissioner Geo. H. Wright reported in the proceedings in this cause, and enquire and report ~~the~~ what has been collected by ^{said} ~~the~~ ^{Commissioner} ~~Wright~~ ^{Wright} from the purchaser:

And report any other matter deemed pertinent by said ~~Court~~ Master Commissioners or by any party in interest; and that said petitioners be made parties ~~to~~ to this suit.

Steline
vs. { Inchy
Eley et al

May 13. 1. 44

Deer of May 2^d 1890

Acopy

Don't

Notice if 13. May
to 13. June 1890,

"

In the Circuit Court of Isle of Wight county
May 2^d 1890.

Helms

Plff

vs. $\frac{1}{2}$ In Chancery

Eley et al

Defts.

This cause came on this day to be heard on the papers formerly read the petition of Henry Holland, Irvin Jenkins and W. H. Andrews Sr., and was argued by counsel on consideration whereof the court doth adjudge, order and decree that one of the master commissioners of this court enquire and report whether or not it will be to the interest of the infant defendants to ratify and confirm the sale ^{made} by special commissioner Geo. H. Wright reported in the proceedings in this cause, and enquire and report what has been collected by said special commissioner Wright from the purchaser.

And report any other matter deemed pertinent by said master commissioner or by any party in interest, and that said petitioners be made parties to this suit.

A copy

Teste (A. F. Young) Deputy
for W. F. Young clk.

Neemo
Eley J. C.

v. $\frac{3}{3}$ In clay,

Eley's infants class.

To be rec'd
July 2. 1891.
C. W. L.

Melvin J. E.

m.

E. Inley,

R. J. Eley's infant, et al.

This cause came on this day to be again heard on the papers formerly read, and on the motion of the counsel for the defendants, it is ordered that John H. Wright special com^r be summoned ^{to October term 1891} to show cause why he has not executed the decree entered hereon at April term 1888, and read a report under said decree.

And on further motion of said counsel, it is ordered that the said John H. Wright attorney for the plaintiff do return to the clerk of this court the papers in the cause now in his hands.

In the Circuit Court of Cole of Wright County Dela June 1891

J. E. Williams

vs

R. F. Elmer vs. Wm. H. W.

This cause came on this day to be heard on the papers for and
and on the summons which issued from the clerk's office
of this court on the 6th day of August 1891 requiring John H
Wright to show cause, if any he ever, why he has not made his
report under a decree rendered by this court in this cause at the
April Term thereof in the year 1888, and that he at the
same time deliver to the clerk of this court the papers in
this cause now in his hands, and it appearing to the
court that ^{process of} the said summons has been acknowledged
by the said John H Wright and that he has not obeyed the
and having been cited to the bar of the court cause not
said summons, the court doth ~~adjudge~~ ^{adjudge} ~~q~~ ^q and do decree
that the said John H Wright be duly summoned to appear
before the judge of this court on the 20th day of April 1892
to show cause why he shall not be attached for his con-
tempt in failing to appear in obedience to the
summons, otherwise

Johns

ms

Elwyn Lewis & Co

Deere

of

Delaware Penn 1891

To be sent to

cmr

Oct 20, 1891

Entered #

~~Arthur & E~~

In the Circuit Court of Lake of Wight county May 11th 1892,
Plaintiffs

vs
Ely and others

Defendants,

This cause came on this day to be again heard on the papers formerly read and on the report of commissioner Young under decree herein of May 2nd 1890 and was argued by counsel. On consideration whereof the court ~~doth~~ ^{do} from said report to which is exception as filed and doth as judge order and decree that William S Holland and George Robinson who ~~are~~ ^{are} ~~by~~ ^{by} appointed commissioners for that ^{either of whose name yet} purpose, shall proceed to collect of Henry Holland the purchaser of the land in the proceedings mentioned the sum of five hundred and eighty one dollars and fifty five cents, ^{with} ⁱⁿ ^{the} ^{sum} ^{of} ^{\$} ^{581.55} ^{paid} ^{thereof} ^{from} ^{May} ^{11th} ¹⁸⁹², and ^{also} ^{pay} ^{the} ^{costs} ^{of} ^{this} ^{suit} ^{shall} ^{pay} ^{one} ^{half} ^{thereof} ^{to} ^{the} ^{said} ^{Henry} ^{Holland}, and ^{as} ^{for} ^{the} ^{cost} ^{of} ^{this} ^{the} ^{legally} ^{qualified} ^{guardian} ^{of} ^{Henry} ^{Ely}, ^{Alvin} ^A ^{Ely} ^{and} ^{Lavinia} ^A ^{Ely}, ^{two} ^{thirds} ^{thereof} ^{to} ^{the} ^{legally} ^{qualified} ^{guardian} ^{of} ^{Walter} ^B ^{Horton}, ^{Anna} ^M ^{Horton} ^{Floyd} ^B ^{Horton} ^{and} ^{Fannie} ^A ^{Horton} ^{and} ^{one} ^{third} ^{thereof} ^{to} ^W ^H ^{Anderson} ^{and} ^{make} ^{report} ^{to} ^{court} ^{of} ^{this} ^{proceedings} ^{under} ^{this} ^{decree}.
But before the said commissioners shall proceed to execute this ^{decree} ^{or} ^{they} ^{shall}, ^{before} ^{the} ^{clock} ^{of} ^{this} ^{court} ^{inter} ^{into} ^a ^{bond} ^{with} ^{sufficient} ^{security} ^{and} ^{warrant} ^{of} ^{their} ^{homes} ^{that} ^{except} ^{ions}, ⁱⁿ ^a ^{penalty} ^{of} ^{\$} ¹⁰⁰⁰, ^{for} ^{the} ^{faithful} ^{performance} ^{of} ^{this} ^{or} ^{any} ^{future} ^{decree} ^{herein}.
And on the payment by the said Henry Holland of the said purchase money the said commissioners or ^{either} ^{of} ^{them} ^{shall} ^{execute} ^{and} ^{deliver} ^{to} ^{the} ^{said}

* Henry the holder of the purchase money of the said land is shown by statement B filed in the papers

2

532

2001-2002

B
17
2
90

John

Enter

W. L. L. L.
vs. J. L. L.
Elegant and others

Entire #26

Adams

^{N.}
Eley and others

The report filed by
John H. Wright, Special
Commissioner then on
the 24th day of April ^{being called to the attention of the Court}
1893, the decree entered
in this cause on the
28th day of October ¹⁸⁹⁵ is
set aside ^{and} annulled and
the counsel in the case
not being in Court
the cause is continued.

Index
vs
Ely's.

~~October 1893~~

To be entered
~~Oct 28~~ 1895
Robert R. Reutis.

To be entered
Apr 27th 1896
Robert R. Reutis.

Entered #5

Entered #11

John J. E.

Plaintiffs

vs

Ely and others

Defendants

This cause came on this day to be again heard on the papers
formerly read, ^{on the answer of John H. Wright, copy filed April 24 1892} and on the report of Commissioner W. S. Holland
under decree herein of May 11th 1892 and was argued by counsel.
On consideration whereof the court doth conform the said re-
port to which no exceptions were filed, and it appearing that per-
haps has been duly served on John H. Wright, Commissioner of said
Municipality to decree of May 11th 1892, the court doth adjudge order and
decree that the said John H. Wright do out of his own funds pay
to W. S. Holland Commissioner of Education under decree herein, the
sum of ~~two~~ ^{and twelve cents} hundred and twenty ~~dollars~~ ^{with interest}
~~\$25. from October 3 1887, with interest on \$29 from November 7th~~
~~1887, with interest on \$40 from December 27th 1887, with interest~~
~~on \$35 from January 6th 1888, with interest on \$30 from February 1st~~
~~1888, with interest on the 8th day of September 1888, with interest~~
~~on \$75 from December 15th 1888, and with interest on \$100 from Decem-~~
~~ber 21st 1888. The said sum of money with the interest~~
thereon as aforesaid shall not be paid by the said John H. Wright
within sixty days from the date of this decree execution for
the same shall issue from the clerk's office of this court in favor of
the said W. S. Holland Commissioner, and a copy of this decree shall
be served upon the said John H. Wright
And the court doth further adjudge order and decree that on the pay-
ment of the said sum of money and interest or any part thereof he shall
after paying the unpaid costs of suit pay one half of the remainder to Henry
Holland, one fourth thereof to Mary E. Ely grand daughter of J. E. Ely, Alice A. Ely and
one thirty sixth thereof to W. H. Andrews and eight thirty sixths to A. D. Horton
and the legally qualified executors of A. D. Horton, Anne
M. Horton, Floyd B. Horton and Francis A. Horton
and make report to court of his proceedings under this decree.

W. S. Holland

Subject to a writ of
certiorari of January 1892

In the Circuit Court of the County of Erie of the State of New York
April 21st 1892.

Helms J. E.

Plaintiff

vs

Eley and others

Defendants

This cause came on this day to be again heard on the papers formerly read on the answer of John H. Wright Com. filed Apr 24th 1892, and on the report of Commissioner W. S. Holland under decree herein of May 11th 1892, and was argued by counsel.

On consideration whereof the Court doth confirm the said report to which no exceptions are filed and it appearing that process being duly served on John H. Wright, Commissioner of Sale pursuant to decree of May 11th 1892, the Court doth adjudge order and decree that the said John H. Wright do out of his own funds pay to W. S. Holland Commissioner of Collection under decree herein the sum of Two Hundred and twenty dollars, and twelve cents with interest from December 21st 1888, till paid, and if the said sum of money with interest thereon as aforesaid shall not be paid by the said John H. Wright within sixty days from the date of this decree execution for the same shall issue from the clerk's office of this Court in favor of the said W. S. Holland Commissioner, and a copy of this decree shall be served upon the said John H. Wright. And the Court doth further adjudge order and decree that on the payment of the said sum of money

and interest on any part thereof. he shall obtain
 paying the unpaid costs of suit pay one half
 of the remainder to Henry Holland, one fourth
 thereof to Mary A. Eley guardian of Inez Eley
 Alvin A. Eley, and one thirty sixth thereof to
 W. H. Andrews, and eight thirty sixth to G. D.
 Horton, and the legally qualified guardians of
 Father G. Horton, Anne M. Horton, Floyd B.
 Horton and Fannie A. Horton, and make report
 to Court of his proceedings under this decree.

A copy

Test N. P. Young clk
 by A. J. Young Deputy

Copy of decree
 entered April 22nd
 1896.

Helms
 vs
 Eley et al

I accept legal service of this copy
 of a decree, May 1896.
 Geo. H. Wright

To the Honorable Court of Isle of Wight.

At a court held in said County Mar. 2.^d 1840,
Anthony Person, Edwards R. Johnson, James
Holland and Meredith N. Watkins, the three
first named acting as commissioners to divide
the land of Mills E. Powell decd: do now
report according to the requisition of that
decree, having had regard to quantity as
well as quality, we have allowed or set
apart to the widow Elizabeth Powell the
late residence of Mills E. Powell decd: with
two hundred and seventy six acres,
bounded as follows, north by the land
of Wm. H. Powell, & east by Gale Johnson &
Mallory Vaughan, south by do. west
by Eadith and Penelope Redd, as her
dower in all said Mills E. Powell's land.

To Mary Jane Powell we set apart
the following tracts, viz: the Dracy Spring
140 acres, Jacob Rhodes 70 do. Baker do.
208 making four hundred and eighteen
acres, the two first tracts bounded as fol-
lows, Spring & Red tracts, north by W. H. Powell,
east by Eadith & Penelope Redd, south
by Blake Dardus & Eley Cressler, west
by Allen Spring, Ervill Turner and
Elisha R. Eley (Baker's tract) bounded as
follows, north by the land of the heirs of

Timothy White of t. C. East by the land
of Benj. Watkins, South by Blake E. Danna
west by James Lawrence. To W. H. Powell
we set apart land to the amount of
four hundred and fifteen acres (the in-
fants due their portions) bounded as
follows. North by Wiley Watkins & Polly
Watkins heir Mills Watkins. East by
Gale Johnson, & E. J. Eley him, south by
the widows dowry and Mary Jane Powell
and west by the land of Elisha D. Eley.

All of which we respectfully sub-
mit without comment.

Anthony Person

Edward B. Johnson

James M. Hollands

The foregoing is a copy of a report confirmed
by the county court of Isle of Wight county, in
the suit therein lately pending between
Mills E. Powell's infants vs. Elij. Powell et al.
at June term 1840.

Teste, J. P. Young clk

Stevens J. E.

W. H. Eley

Eley, Morten et al.

Copy report of aforesaid
of dowry to Elij. Powell.

Ex 64. A. Filed with the



This deed made this 10th day of ^{February} January
in the year of our Lord one thousand eight hundred and
seventy two between Robert A. Pinner of the first part &
James E. Helms of the second part both parties residing and
being in Windsor Township in the County of Isle of Wight and
State of Virginia Witnesseth that for and in consideration of
the sum of Five hundred dollars in hand paid by said
Helms the said Robert A. Pinner doth grant bargain & sell
unto the said J. E. Helms his heirs assigns & for ever all his
right title & interest in the dower lands of Mrs. Elizabeth Butler
which the said Robert A. Pinner purchased of Wm. H. Powell as per deed
dated May the 15th 1868 and recorded in the Clerk's office page 274
and as per deed of said Wm. H. Powell wife dated the 1st day of
~~January~~ ^{February} 1872 The property hereby intended to be conveyed is the right
or interest Wm. H. Powell or his heirs would have had in ^{the} land property
on which Mrs. Elizabeth Butler now lives which land was assigned to the
said Elizabeth Butler as her portion or dower of Mills Powell
estate and whereas the aforesaid Wm. H. Powell claims to be one of the
two heirs of said Elizabeth Butler and did by his deed on his wife
Elizabeth Powell did by her deed bargain & sell unto the said Robert
A. Pinner with general warranty all their right title & interest in the above
mentioned piece or parcel of land property lying & being in Windsor
Township in the County of Isle of Wight & State of Virginia. On the
^{road leading from Snows Hill to Suffolk and bounded by the lands of}
therefore the said Robert A. Pinner covenants with the said
James E. Helms that he has the right to convey the above named
property and title and do warrant and defend generally the
property ^{or interest in said property} hereby conveyed witness the following signatures and seal
this the

Robert A. Pinner

Isle of Wight County to wit -

I B. L. Roberts a justice of the
peace for the County aforesaid in the
State of Virginia do certify that R. A. Primer
whose name is signed to the writing
hereto annexed bearing date on the
10th day of February 1872 has acknowledged
the same before me in my County aforesaid
Given under my hand this 10th day
of February 1872

B. L. Roberts)

In Isle of Wight County Court Clerk's office
Feby, 17th 1872, This deed from Robt. A. Primer
to James E. Melms, was recd, & admitted to record
upon the annexed certificate of its acknowl-
-edgment before B. L. Roberts a justice of the peace
I certify that the requisite United States In-
ternal Revenue Stamp of fifty cents being
affixed hereto & cancelled,

Teste

W. D. Young Clerk
U. S. Court, D. C. for

R. A. Primer

to { Deed

for E. Nelsons -

Feby, 17th 1872 Recd
submitted to record
upon the annexed
certificate &c -

right, B. filed with

Bill. in suit

Nelsons.

n. $\frac{3}{8}$ day,
Ely & Co.

Recorded Deed Book
No. 42 page 203.

This deed made the 1st day of September
in the year of our Lord, one thousand
eight hundred and seventy nine, between
Wm. Andrews of the County of Isch of Wight
and State of Virginia, of the one part
and Robert J. Eley of the same County
and State of the other part: Witnesseth
that in consideration of the sum of
Eighty Dollars, the said William A.
Andrews doth grant with general
warranty unto the said Robert J. Eley
and to his heirs and assigns forever, the
following real estate, to wit: All that tract
piece, or parcel of land, situate lying
and being in the County of Isch of Wight
in the State of Virginia, and bounded
and described as follows: One undivided
sixth interest in the land which was
assigned by Commissioners duly appointed
by the County Court of Isch of Wight
County, to Elizabeth Powell (now Eliza-
beth H. Butler) as and for her dower
in the land of which her late hus-
band Miles E. Powell died, seized
and possessed, the said dower land
being bounded North by the County
Road leading from Green Hill to
Suffolk, East by the land of Wells

Benjamin, Benjamin and others,
South by the land of Merit C. Darden
Benjamin and others and west by
the lands of Benj: Sprigg, H. H. Roberts and
others, the said Robert: J. Eley being en-
titled to enter upon and take possession
of the undivided sixth interest hereby
conveyed, upon the termination of the
dower right of the said Elizabeth Butler
together with all and singular the appur-
tenances belonging to the same. And
the said William H. Andrews covenants
that he has the right to convey the said
land to the grantee, that the said
grantee shall have quiet possession
of the said land, that he has done no
act to encumber the said land, and
that he will execute such further as-
surances of the said land as may be
required.

Witness the following signature and
seal.

William H. Andrews 

Virginia:
County of Isle of Wight ss.

I, Benj: C. Roberts a Justice of the
peace in and for said County, do

the State of Virginia, do certify that
William H. Andrews, whose name
is signed to the writing above, bearing
date 1st day of September 1879, has
acknowledged the same before me
in the County aforesaid.

Given under my hand this 2nd day of
Sept. 1879.

B. C. Roberts J.P.

In the Clerk's office of School District
County Court, the 15th day of Sept. 1879,
This deed from W. H. Andrews, to W. J.
Eley, was received and admitted to
record upon the annexed certificate
of B. C. Roberts a Justice of the Peace.

Test: M. P. Youngell.

a copy

Test: M. P. Youngell.

Nelsons

no. 3 Incher.

Elief et al.

Apr Dec from

Andrews to R. J. Elief

Filed as expt with
Bill.

h

This Deed made this the 15th day of January in the
year of our Lord one thousand Eight hundred and
Eighty, between William H. Andrews of the County
of Isle of Wight and State of Virginia of the one
part and Robt. J. Eley, of the same County and
State of the other part. Witnesseth, that in Con-
sideration of the sum of Twenty Five Dollars, the
said William H. Andrews hath granted with general
warranty unto the said Robt. J. Eley, and to
his heirs and assigns forever, the following real
Estate To wit: all that tract, piece or parcel of
Land, situate lying and being in the County of
Isle of Wight in the State of Virginia, and bounded
and described as follows. one undivided tenth
interest in the land which was assigned by Com-
missioners duly appointed by the County Court
of the County of Isle of Wight to Elizabeth W. Porree,
(now Elizabeth H. Butler) as and for her share,
in the lands of which her late husband Mills
E. Porree died seized and possessed, the said
said land being bounded on the North by the
County Road leading from Snowville to Suffolk
East by the lands of Mills Crumpler, Irvine
Jenkins and others, and West by the lands of
Benjamin Spivey. A. N. Roberts states the said
Robt. J. Eley being entitled to receive upon and
take possession of the undivided tenth interest
hereby conveyed upon the termination of the
dower right of the said Elizabeth H. Butler
(The said Wm. H. Andrews having this interest
in said land from his sister Mallie Low

Springfield, who died, before she was twenty
one years old, and her little daughter Jessie
Viola Springfield (who died in infancy)
together with all and singular their personal effects
belonging to the same. And the said Wm. H.
Andrews avers that he has the right
to convey the said land to the said grantee,
that the said grantee shall have quiet poss-
ession of the said land, that he has done no
act to encumber the said land, and that
he will execute such further assurances
of the said land as may be required.

Witness the foregoing signature and seal.

William H. Andrews (Seal)

Virginia:

County of Stafford (Sd.)

I, B. C. Roberts a Justice of the Peace, in
and for the said County in the State of Virginia
do certify that William H. Andrews whose
name is signed to the writing above, bearing
date 15 Jan'y. 1880, has acknowledged the
same before me in the County aforesaid.
Given under my hand this 15 day of Jan-
uary 1880.

B. C. Roberts, Jr.

In the Clerk's Office of Stafford County, Va.
the 2^d day of Feby. 1880, This Deed from W. H. Andrews
to R. F. Eby, was admitted to record, ~~and admitted~~
to ~~record~~ upon the Certification of hereon of B. C.
Roberts a Justice of the Peace.

Test: A. P. Young Ck

a copy.

Test: A. P. Young Ck

by J. M. Board C

Nelson J. C.

v. { Du Cley.

Eley Etas:

Andrew W. H.

To J. Dend B. & S.

Eley Rohit J.

a copy
Exhib: "A"

This deed made this 13th day of May 1808, between W^m. H. Powell of the first part and R. A. Pinner of the second part. Both parties residing and being in the county of Isle of Wight end state of Virginia. Witnesseth that for and in consideration of the sum of Eight Hundred Dollars the said William H. Powell do grant, bargain & sell unto the said R. A. Pinner all his right, title and interest in and to the following property, to wit: one tract, piece or parcel of land adjoining the land of Arthur P. Broadshaw on the west; by R. P. Phillips mill pond on the south; by the land of Samuel Ely on the east; and on the north by the land of J. S. King, and is the tract of land on which said W^m. H. Powell now resides, containing by estimation — acres, & the same more or less; Also the undivided interest of the said William H. Powell in and to the down land of Mrs. Elizabeth Butler: all the above lands lying and being in the county of Isle of Wight, state of Virginia. The said William H. Powell covenants with the said R. A. Pinner that he has the right to convey the above named property, and will and do warrant generally the property hereby conveyed. Witness the following signature and seal the day month & year above written.

Teste,

W^m. H. Powell



A. N. Ashburn

David B. Roberts

In the Clerk's office of the County Court of Seale
of Wright County, the 12th. day of July, 1869.

This deed from was acknowledged by W. H.
Powell, and the required U. S. Stamp being
affixed hereto & considered, was admitted to
record.

Done W. P. Young D.C.

a copy.

Done, W. P. Young C. C.

Witness J. E.
W. H. Powell

Eleg et al.

Copy to Powell
to Powell.
Filed as Exh. B.

John H. Wright,

Attorney and Counselor at Law,

Subscriber to SLOAN'S LEGAL AND
FINANCIAL REGISTER and Mem-
ber of the CONTINENTAL
COLLECTION UNION.

Suffolk, Va., Aug 19 1886

A. P. Young Esq
Isle of Wight Co. Va.

Dear Sir:

Yours received. Of course I intended that you should take the accounts and think I mentioned the fact to you at the Circuit, or intended to do so. It has so happened that I have been called elsewhere on the 1st Monday in each month since your Circuit-Court last Spring I have not been able to come up. My impression is that the records will furnish all the evidence needed in making up the accounts, except as to whether either party will take the land or pay the other. Generally I believe there is only one adult who is not willing or able to do it, but wants the money for his portion. Almost any body living in the vicinity can testify whether it can be divided in kind.

If there are any other accounts in any suit I have, I wish you to take them also -

Very Truly Yours.
John H. Wright.

John H. Wright,
Attorney and Counselor at Law,

Subscriber to SLOAN'S LEGAL AND
FINANCIAL REGISTER and Mem-
ber of the CONTINENTAL
COLLECTION UNION.

Suffolk, Va., Sept 24 1886

N. P. Young Esq

Dear Sir:

The Enclosed notice
was only returned to me Yesterday,
but by the return on it was exe-
cuted on the 3^d Inst.

Yours Truly
J. H. Wright.

John H. Wright,

Attorney and Counselor at Law,

Subscriber to SLOAN'S LEGAL AND
FINANCIAL REGISTER and Mem-
ber of the CONTINENTAL
COLLECTION UNION.

Suffolk, Va.,.....

188

A. P. Young Esq

Dear Sir

Please issue the processes for the en-
closed return & send those for Hooton's to me, as he
lives in this County. Also please send me copies of
the Deeds from Mrs H. Powell to James E. Helms for
his (Powell's) half interest in the Land of Mrs Elizabeth
Powell. (What was her first husband's name?) Also copy of
the deed from M. H. Andrews to R. J. Eley. And if there is any
record showing how Mrs Powell or her children came by
the Land I should like to have that also. This is a suit
for partition of the Powell Land between the present
owners, who are J. E. Helms, R. J. Eley's children and
G. D. Hooton's children

Yours Truly
John H. Wright.

✓ W.H. Powell sold his int. to R. A. Pennington
and of 10. July May 13, 1868. B. 41. p. 274.
by) Penner sold to Nelson, by deed 10. July, 1872. ^{10. 42 p. 200}

W.H. Anderson to R. J. Ely deed dated 1. Sept. 1879.
✓ B. 45. p. 111.

✓ Dower assigned to Ely, widow of Wm. E. Powell

Nelson
v.
Ely
—
Anderson

JNO. H. WRIGHT,

Attorney-at-Law.

ROANOKE VA.

June 15 1896

H. P. Young Esq

My Dear Sir: Enclosed find copy of decree with acknowledgment of service, which would have been returned to you earlier, but for over a month I have been suffering severely with what appears to be an abscess in the middle of my back. It would neither go away nor come out, and finally gave me much internal trouble, confining me to my bed & unfitting me for any kind of work. I am better now, but not well.

I have no right to complain of my work here, but collections are terribly slow. If I could get in what is due me, it would make me very easy indeed. On Saturday or Sunday Banking Institution made an assignment, & to day there is very much excitement and anxiety on the part of depositors. This will

seriously complicated matters here & I fear
may cause other failures. It will surely
make it much harder to collect bills in this
City. The general business outlook over the
Country, for some months at least, is not
very encouraging.

With kindest regards, I am

Yours Truly
Jno. H. Wright.

Isle of Wight Courthouse, August 19th 1886.

To

J. E. Mills

Plaintiffs,

And to *Mary E. a. Eley, Inez Eley, Allan a. Eley, Savina a. Eley, the last three being infants; and G. D. Horton, Mattie G. Horton, Anna M. Horton, Floyd B. Horton & Anna a. Horton, last 4 also infants.* Defendants:

You are Hereby Notified that I have fixed upon the 10th day of September next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, aforesaid, the following accounts:

1st An account of the real estate in the Bill of proceedings mentioned, of which Mills E. Powell died seized, and was assigned to his widow as and for her dower, showing the quantity, and the fee simple assessed value thereof. 2nd. An account showing who were the heirs and distributees of the said land upon the death of Elizabeth Powell, and whether any of said heirs disposed of their interest, or any part thereof, in the said land, and to whom, and who are the present owners or parties entitled thereto, and their respective interests in the same. 3rd. Whether the said land is susceptible of partition in kind, or whether the interest of all the parties could be promoted by a sale thereof & distribution of the proceeds, and whether any one or more of the parties will take the said land & pay therefor.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 20th day of

April

, 1886, in a suit in chancery depending in the said court, in which you

are parties, Plaintiffs and Defendants, at which time and place you are required to attend.

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

J. P. Young, Commissioner.

1886 September 3rd Executed by delivering a true
copy hereof to the within names G D Horton.

J B Vaughan Deputy Sec
J H Fulgham Secy

Alfred L. E.
vs. J. C. Horton
Eugene Harris et al.

Remitted to the 10th
of Sept. 1886.

Wm. H. Wright Jr.

Commissioner's Office,

Isle of Wight Courthouse,

August 15 1886.

To Jas. E. Nelson

Plaintiffs,

And to Mary E. A. Eley, Mary Eley, Allena A. Eley, and
Savina A. Eley, last three infants, and G. D. Norton,
and Mattie G., Anna M., Floyd B. and Samuella Norton,
the last four being infants.

Defendants:

You are Hereby Notified that I have fixed upon the 10th day of September
next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office,

aforesaid, the following accounts: 1st. an account of the real estate in the
Bill and proceedings mentioned of which Miss Persell
died seized and possessed, and was seized to his widow as
and for her dower showing the quantity and the fee simple
and annual value thereof. 2^d. showing who were the
heirs and distributees of the said land upon the death
of the said Elizabeth Persell, and whether any of said heirs
disposed of their interest, or any part thereof in the said
land and to whom, and who are the present owners of
parties, entitled to distribution therein, and their respective
interests in the same. 3^d. whether said land is now
susceptible of partition in kind among the parties
entitled thereto; the interests of all the parties would
be promoted by a sale of the said land and distribution
of the proceeds thereof, and if he shall consider the said
land not susceptible of partition in kind, he will
report the facts upon which such opinion is
based, and whether any one or more of the parties
will take the said land and pay to the others the
sums due them respectively.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 20th day of
April, 1886, in a suit in chancery depending in the said court, in which you
are parties, Plaintiffs and Defendants, at which time and place you are required to attend.

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

J. D. Spring

Commissioner.

Nelson J. E.
as. 2/3 Const. Notes
Elief et als.

To 10th. Sept. 1886.
✓

Expended
Aug 28th
1886. R. A. Edward
" Shff

Commissioner's Office,

Isle of Wight Courthouse, May 13th. 1890.

To James E. Adams, Henry Holland,
Abner Jenkins and W. H.
Anderson et.

Plaintiffs,

And to Mary E. A. Eley; the infants of R.
J. Eley and the infants of G. D. Horton by
A. P. Young their gdn. ad litem

Defendants:

You are Hereby Notified that I have fixed upon the 13th day of June^{the}
next, if fair, if not, the next fair day thereafter (Sunday excepted), to ~~be~~ and ~~at~~, at
my office, aforesaid, the following ~~accounts~~: ^{make} ~~inquiry~~ and report
To wit: Whether or not it will be to
the interest of the infant defendants
to ratify and confirm the sale ^{made} by special
commissioner John H. Wright reported
in the proceedings in this cause.
And what has been collected by
said special commissioner Wright
from the purchasers, together with
any other matters deemed perti-
nent by the court.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 2nd day
of May, 1890, in a suit in chancery depending in the said court, in which
you are parties, plaintiffs and defendants, at which time and place you are required to attend.

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

A. P. Young
Commissioner.

We acknowledge by a receipt
of this notice, and waive error
formally by an officer

In W. Wright p. q.

A. P. Young & Co. atty.

W. S. Hall and

att. forfeitures

of the same

In R. C. Johnson atty.

for Ely. Hirs.

W. S. J. R. 1.
co. 3 In Ely.

Ely M. A. C. at 1887.

Comm. under
provision of my
1890. ip. 13. May
1887. from 1890.

Said sold on 5th Sept. 1887. for \$840.00

One fourth of which is

210.00
2) 630.00

2 bonds, each, for \$315.00

payable in 1 & 2 years from 5. Sept. 1890.

Know All Men by These Presents:

THAT WE,

John H. Wright and Herman
T. Artman

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full
sum of *Twelve hundred* DOLLARS,

to the payment whereof well and truly to be made to the said Commonwealth, we bind
ourselves, and each of us, our and each of our heirs, executors and administrators, jointly
and severally, firmly by these presents. Sealed with our seals, and dated this *first*
day of *August*, in the year one thousand eight hundred and eighty-*seven*
and in the *112th* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound

*John H. Wright, who by decree rendered at the
Oct. term 1886, of the Circuit Court of Isle of
Wight County, in the Chancery suit of
William J. E. v. E. E. E. E. E. was appointed a
Special Commissioner to see the lands in
the Bill and proceedings mentioned*

shall faithfully discharge the duties of said office or trust then the above obligation to
be void, or else to remain in full force and virtue. We hereby waive the Homestead
Exemption as to this obligation, and we also waive any right, claim or privilege to dis-
charge any liability arising under said bond, or by virtue of said office or trust, in any
currency, funds, counter-claims, or offsets other than legal tender currency of the United
States.

*John H. Wright
H. T. Artman*



the Clerk's office of Circuit
IN ISLE OF WIGHT COUNTY COURT,

August 1st 1887:

This bond was executed and acknowledged in open Court by the obligors to the
same, and *admitted* ~~ordered to be recorded~~

CLERK.

*Attest: A. P. Young & Co
by G. W. Boone & Co*

A. P. Young

Nelson J. E.

W. { Comm' Bond

Eley Et al.

A Copy

The Commonwealth of Virginia,

To the Sergeant of the City of Roanoke, Greeting:

WE COMMAND YOU to summon John H. Wright, Commissioner
in the Chancery cause pending in the circuit
court of Shel of Wright county under the short
style of J. E. Nelson vs. R. J. Clayton & Co.
to appear before the Judge of our ^{circuit} ~~county~~ Court for the County of Shel of Wright, at
the court-house, on the 20th day of October 1891, to show cause if any he can,
~~against the application~~ why he has not made his report
under a decree rendered by the said court
in the said cause at the first term thereof
in the year 1888. And that he, at the
same time, deliver to the Clerk of said
court, the papers in said cause now in his
hands.

And have then there this writ.

Witness N. P. Young, Clerk of our said court, at the court-house, this 6th
day of August, 1891, and in the 11^{0th} year of the Commonwealth.

N. P. Young clk.

Wm. Nelson J. Co.,

vs. } SUMMONS TO
 PROPRIETORS AND MANAGERS
 OF
Shaw-Corner
the W. Circuit
J. H. Wright
Clay's line at 10,

To Do the. Octo:

1891, Circuit Court,

I hereby waive service of the within
 summons by an officer and accept
 the service thereof, this 13th day of
 August 1891.
Wm. H. Wright.

Stevens & Co.

Rule vs.

J. H. Wright

vs.

The above named

for

Wells' heirs & assigns

To

April

Term,

1892, Circuit Court.

I waive the service of the within summons
by an officer, and hereby accept legal service
thereof. *Wiley*. 17th 1892.

Jno. H. Wright

The Commonwealth of Virginia,

To the Sheriff of the city of Roanoke, Greeting:

WE COMMAND YOU, That you summon John H. Wright

to appear before the Judge of our circuit Court of the county of Isle of Wright
at the court-house thereof, on the 20th day of April 1892, to show cause,
if any he can, why he shall not be attached for his contempt
in failing to appear under a summons issued against him,
pursuant to an order of said court rendered in the suit
of J. E. Nelson et al. vs. Ely & him et al. therein pending, requiring
him to appear at the Octo. term 1891. And have then there this writ.

WITNESS, A. P. Young, Clerk of our said court, at the court-house,
the 9th day of February 1892, in the 116th year of the Commonwealth.

A. P. Young clk.

The Commonwealth of Virginia,

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

WE COMMAND YOU, that you summon *John H. Wright, commissioner of sale*
under a decree rendered in the suit of Adams against Eley's infants,
and H. T. Arthur ~~personally~~ ^{in said Wright's} ~~commissioner's~~ ^{band}
to appear before the Judge of our ~~Court~~ ^{Circuit} Court of *Isle of Wight County*, at the court-house, on
the *20th* day of *October* 18 *97*, ~~to answer an indictment of the Grand Jury~~
~~made against~~ on the ~~day of~~ 18 ~~for~~
"to show cause why judgment shall not be entered against
them for the sum of *Three Hundred and Twenty Four* dollars,
and interest thereon, received by said John H. Wright
as such commissioner of sale aforesaid?"

And have then there this writ.

WITNESS, *A. O. Young*, Clerk of our said Court, at the court-house, this
22^d day of *July* 18 *97* in the *114th* year of the Commonwealth.

A. O. Young clk.

Executed by delivering a copy
of the within ~~Summons~~ to
H. T. Artman. July 28th 1892

Ro. A. Edwards
Shff

Form No. 100

Shelton D. E.
~~Summons~~

Shert

U.S.

SUMMONS TO ANSWER

Case No. 410

~~AND~~ DEFENDENT.

Wright Whitman

To October

term

Circuit

Court,

1892.

Wm. C. D. Whitman
received for copy
of 1/10/92

Geo H. Wright

Colt
Datanbaebid

INDICEMENT

Court,

78

Dear, n. D. apt
tal. to clear
cause it
to.

Clayo's gift to

Do 20, Oct. Recd
Oct. 20, 1892

The Commonwealth of Virginia,

To the Sheriff of Roanoke City, ~~County~~—Greeting:

WE COMMAND YOU, that you summon John H. Wright, commission of sale
under a decree rendered in the suit of Eley &
infants vs., and H. T. Astenaw security in said Wright's commission
to appear before the Judge of our ^{Circuit} ~~County~~ Court of County of Wight at the court-house, on
the 20th day of October 18 92, ~~to answer an indictment of the Grand Jury~~
~~made against~~ on the 18th day of October 18 92, ~~for~~ to show
cause why judgment shall not be entered against
them for the sum of Three Hundred
and Twenty Four dollars, and interest thereon, received
by said John H. Wright as such commission of
sale aforesaid.

And have then there this writ.

WITNESS,

A. O. Young
22nd day of July

Clerk of our said Court, at the court-house, this

18 92, in the 11th year of the Commonwealth.

A. O. Young *cl*