1908-026 Chancery Causes. William Gamble & Company, &c vc Vs Mills E. Powell's extor vcl

Isle of Wight County

other surnames Bell, Roberts, Holland, Beale, Epps, [William Gambell & Company], Paul, Herrin, Gambell.

W.S. Holland F.P.

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Wm Rumble & Co.

vs. } In chancery

M.E. Rowell's executor et. al.

Bill of Complaint
1896.

Fiat March Rules
Bill &c filed, summons &c
one & all defts. and
dir. issd as to them.
Order ad taken as prayed
to exhibit defts. dir.
amer. filed & gend. Rest.

Second March Rule
Bill taken for confessed
to & all defts. and set
for hearing.

June 13th, 1896
Dc. for costs

Oct. term 1896
Dc. comp. right, over to payment, com. to sell.

April term 1902 dc. comp. right -
do.

Final decree June 1, 1908

Your orators say that said testator is indebted to them in the sum of three hundred and twenty-eight dollars and ninety two cents with interest thereon from the 6th day of January 1892 till paid evidenced by a promissory note now to the court here shown, no part of which debt has ever been paid but the same and all interest is now justly due your orators.

From the best information derived from others by your orators they do not think the personal estatate will pay the debts of said testator and they ask that if their debt cannot be collected without so doing that the said real estate may be sold.

For as much as your orators are remediless save in this court where such matters are done and properly cognizable, they pray that said A.E.Bell executor of M.E.Powell deceased, Irvin Beale, F.C.Roberts trustee, Mrs Catherine Epps, George E.Epps, Johnnie Epps, Hugh Epps and blank Epps (this last is an infant child not yet given a name) the last three being infants under the age of twenty-one years, be made parties defendants to this bill and required to answer the same, answer on oath is hereby expressly waived, that said executor be required to render an account of what has or may come into his hands, and of what he has paid out, that an account of the debts against said testaotr,s estate be taken and reported, that your orators debt be paid with accrued interest, that if necessary said land be ~~paid~~ sold and the proceeds of sale be applied to the payment of said debts, that all such other and further relief be afforded your orators as the nature of their case may require or as to equity and good conscience may seem meet. And they will ever pray. Let a subpoena go.

that a Master fee be allowed Counsel in this Cause

W.S. Holland p.q.

Wm Romble & Co
by W.S. Holland
their Atty.

In the Circuit Court of Isle of Wight county, Virginia:

First March Rules 1896.

To the Hon. Robert R.Prentis, judge of the Circuit Court of Isle of Wight county.

William Gamble and Andrew Gamble partners in business under the name and style of Wm.Gamble & CO who sue for the benefit of themselves and all other creditors of the estate of M.E.Powell deceased who may join herein and contribute to the costs of this suit, humbly complaining repsent to the court:

That in May 1895 M.E.Powell de parted this life, first having made and published his last will and testament which has been duly admitted to prbat and record, an office copy of which is herewith filed as an exhibit marked "A" and prayed to be taken and read as a part of this bill, that A.E. Bell the executor therein named has duly qualified as will appear by a certificate of the clerk of the court of Isle of Wight county herewith filed as an exhibit marked "B" and asked to be taken and read as a part of this bill, that said Powell died seized and possessed of a large farm in said county of Isle of Wight which had been conveyed by him to F.C.Roberts as trustee to secure to W.S.Holland a debt therein named and described which debt has been assigned without recourse to James I Beale and on which there is still a large amount due said Beale as your orators are informed and believe, that said testator was possessed of some personalty which has gone into the hands of said executor, that the life of of said Powell was insured for the benefit of his estate for about one thousand d ollars. Your orators are informed that this insurance has not been collected but will be in the near future.

Your orators say that said tetator first provided for the payment of his debts and then devised the balance of his estate to Mrs Catherine Epps and her children the wife of George E.Epps"

The answer of Johnnie Epps, Hugh Epps and Epps (thirdly

is an infant not named) infants under the age of twenty-one years,

by Richard S. Thomas, a competent and discreet attorney at law,

their guardian ad litem, assigned to defend them in this suit, to s

Powell's executor et als

ads

Wm. Gamble & Co.

Answer of infant defendants by their guardian ad litem

Circuit Court for Isle of Wight County

Wm Gamble & Co. in trade under the name and style of

and Benjamin Powell executor of Mitchell Powell exhibit complaint

pitly the defendants answer and others in the

selves the benefit of all and every exception to the said bill, for

answer thereto, or to any thereof as they are advised that it

is material they should answer, by their said guardian ad litem,

answer and say:

That they are infants of tender

years, and by reason of their infancy, are incapable of understand-

ing, or of taking care of their rights and interest. They, there-

fore, by their said guardian, commend themselves and their rights

and interest to the protection of the court, and pray that no de-

cree may be pronounced which will tend to their prejudice.

And having fully answered, these said respondents pray to be

hence dismissed with their reasonable costs in this behalf expend-

ed, &c.

The answer of Johnnie Epps, Hugh Epps and Epps (thislast is an infant not named) infants under the age of twenty-one years, by Richard S.Thomas, a competent and discreet attorney at law, their guardian adlitem, assigned to defend them in this suit, to a bill of complaint exhibited against themselves and others in the Circuit Court for the county of Isle of Wight by William Gamble and Andrew Gamble partners in trade under the name and style of Wm Gamble & Co.

These respondents reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as they are advised that it is material they should answer, by their said guardian ad litem, answer and say.

That they are infants of tender years, and by reason of their infancy, are incapable of understanding, or of taking care of their rights and interest. They, therefore, by their said guardian, commend themselves and their rights and interest to the protection of the court, and pray that no decree may be pronounced which will tend to their prejudice.

And having fully answered, these said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray, &c.

Johnnie Epps, Hugh Epps and — Epps not-yet named by R. S. Thomas, their guardian ad litem and R.S. Thomas, guardian ad litem to Johnnie Epps, Hugh Epps and — Epps not-yet-named

Wm Gamble & Bro.
for Pl.

vs. { SUBPŒNA IN CHANCERY.

M. E. Powells Extr.

V W. S. Holland D. p q.

To 1st March Rules,

1896, Circuit Court.

Executed by delivering a copy
to the within named
W. S. Holland
Dec 28 1895
Executed by delivering a copy to the
within named M. E. Powell
Dec 28 1895
Executed by delivering a copy to the
within named W. S. Holland
Dec 28 1895
Marion Co, Ala.
W. L. Clemens
Sheriff

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon A. E. Bell executor of Eb. E. Powell dec'd, Lucien Beale, T. C. Roberts, Trustee, Mrs. Catharine Epps, George E. Epps, Johnnie Epps, Hugh Epps and — Epps, the last three are infants under the age of 21 years.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, at the rules to be held for the said Court on the first Monday in March, 1896, to answer a bill in Chancery, exhibited against them in our said court by Williams Gamble and Andrew Gamble, partners in trade under the name and style of "Wm. Gamble & Co.," who sue for themselves and all other creditors of Eb. E. Powell deceased who may come in and contribute to the costs of this suit.

And have then there this writ. Witness, N. P. Young Clerk of our said Court, at the court-house, the 22d day of February, 1896, and in the 120th year of the Commonwealth.

N. P. Young Clk.

Humble Bee 5

vs

Powell's Executrix Pale

Commissioner Atkinson report
under decree of June 13th 1896.

Filed October 16th 1896

purchaser then and there appeared either in person or by attorney and the said costs and expenses not being then complied, the hearing of the cause was adjourned from day to day and from time to time until the date of this report when your commissioner complied the foregoing necessary records marked respectively A, B and C. and finds by record A that the outstanding debts against the estate of said Wm E Powell are all of the 3rd class and amount with interest to October 26th 1896 to the sum of $19,01.89 and L L Beale one of the creditors whose debt is first named therein and amounts to $634.40 has priority in the land of which said Powell died seized he having conveyed the same to B B Roberts in trust to secure the payment of the said debts.

Record A

Record B

Your commissioner further finds as shown by record B. that A E Bell the executor of the said Wm E Powell is indebted to the estate on the 26th day of October 1896 in the sum of $993.00 of which the sum of $969.00 is a balance of principal and $23.00 is a balance of interest and includes all the effects belonging to the estate except about $40 due for rent of lands for year 1896 subject to a charge for taxes for the same year. Your commissioner therefore finds that the effects that have or may come into the hands of the executor are insufficient to pay the debts against the said estate and it will be necessary to sell the land for that purpose, the assessed value thereof $75.00 and the fee simple value being $750.00 as shown by record C. the said land is insufficient to pay the balance of the debts after exhausting the personal fund in their payment as four years and there is also a lien on the said land for the payment of the debt aforesaid in the record of deeds for $634.40 due to L L Beale assigned by Wm E Roberts.

Given under my hand as a commissioner in chancery of the said Court this day and year first aforesaid

Geo. P Robinson C.C.

Time Employed 18 hours
Commissioners Fee 13.50
Printers Fee

1896 June 3	By Balance due the Estate	964	60
	" Interest to October 26th 1896	28	00
		992	60

(6)

The account of the annual and fee simple value of the lands of Willis E Powell and the liens thereon.

One tract of land containing ... acres of the annual value of $973,00 and of the fee simple value of $7000,00 on which there is a lien by deed of trust to F E Roberts Trustee to secure payment of the debt sued on due to L & Bank assignee of Wm J Holland

Commissioners Office
Isle of Wight C.H. October 12th 1896

To the honorable court of Isle of Wight county.

Pursuant to a decree of the said court rendered on the 13th day of June 1896 in a suit in chancery pending therein between William Gambill and Sue his wife complainants and the executors of Willis E Powell dec'd, plaintiffs and A E Bell executor of the said Willis E Powell and others defendants, the undersigned a commissioner in chancery of the said court to whom was referred for settlement by said decree the following accounts to wit 1st an account of the debts entitled to and entitled against the estate of W E Powell dec'd stating their priorities, 2nd an account of the lands and liens vested in A E Bell the executor of said Powell, 3rd Enquire and report whether the assets coming into the hands of the said executor will pay the debts in full and if not then to further enquire and report the annual and fee simple value of the lands of said W E Powell dec'd stating the liens thereon if any, 4th Enquire and report whether the lands of said Powell will rent for enough in five years to pay his debts after reserving the personal assets 5th Any matter deem pertinent by the commissioner or any party in interest reports that on the 10th day of July 1896 he gave notice as required by said decree that he will on the 1st day of August thereafter which notice was ordered to issue commissioner duly executed, and the said

An account of the Debts outstanding and unpaid against the estate of Mills E Powell deceased according to their priorities

Debts of the 3rd Class.

To L L Beals assignee of W J Holland. Balance due April 22nd 1895 on Bond dated July 22nd 1893 for $600, and secured by deed of trust on land	600	00		
Interest April 22nd 1895 to October 26th 1896	54	40	654	40
" Wm Gambell Hdw Dr for	328	92		
Interest from January 6th 1892 to same date	94	83	423	75
" A Powell Dr for	274	95		
Int from from January 23rd 1895 to same date	29	55	304	50
" N C Herrin Bond	174	00		
Interest from March 23rd 1891 to same date	58	37	232	37
" Thos J Herrin Bond of M E Powell and A E Bell	150	00		
Int from January 27th 1894 to same date.	24	72	174	72
" A E Bell account	94	01		
Int from August 12 1893 to same date,	18	08	112	09
			1901	83

The Estate of Mills E Powell deceased

In account with A E Bell his executor.

1895 June 3	To hire Clerk for probate of will &c		3	86
	" hire John Kemp burial expenses.		47	00
	" hire Jones 1895.		22	27
	" 5 per cent commissions on $1093.34 Receipts		54	66
1896 June 3	" Balance due the Estate		969	60
			1097	39
1895 June	By proceeds of sales of chattels.		114	18
	" rents for rent of land for 1895		90	00
1896 March	" amount received from Travelers Life Assn of Hfd $1000. life insurance due A E Bell for premium paid under agreement with Testator to be reimbursed out of amount received on policy but being $93.68 Premium and $12.11 Int = $106.79		893	21
			1097	39

A Statement of the debts of Wells & Powell deceased reported by Commissioner Wm R Atkinson which are still due and unpaid and their ratable shares of the funds in the hands of A E Bell his executor

			Ratable Shares	
To Wm Gumble & Son	429	75	330	18
" A Paul	304	50	234	26
" N B Herron	232	37	181	05
" Thomas J Herron	174	72	136	13
" A E Bell	112	09	87	33
	1247	43	971	95

An Account of the payments made by A E Bell executor of Wells & Powell deceased under decree of October Term 1896

Balance due by A E Bell executor of Wells & Powell as shown by said decree			992	60
Interest on $969.60 from Oct 26 1896 to January 16th 1897.			12	92
To paid Balance of costs as shown by Comrs				
W R Holmes report	8	91		
" paid Taxes for 1896	22	26		
" paid Wm Atkinson for obtaining this account	3	00		
" Balance	971	95		
	1005	32	1005	32
By Balance for distribution			971	95
To paid Wm Gumble & Son	330	18		
" paid A Paul	234	26		
" paid N B Herron	181	05		
" paid Thomas J Herron	136	13		
" paid A E Bell	87	33		
	971	95	971	95

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Wm.Gamble & Co.

vs.

M.E.Powell,s Ex,or. et als

December 30th I896.

Report of sale by Wm.S.Holland special commissioner.

To be entered.

Wm. Gamble & CO.

vs

M.E.Powell,s Executor et als.

The udersigned your special commissioner begs to report that pursuant to a decree herein entered October 26th I896 he fully alvertized the tract of land in the bill and proceedings mentioned and on the 7th day of December I896(it being court day) at Isle of Wight C.H. offered the same for sale, at which sale Allen J.Faircloth became the last and highest bidder at the price and sum of seven hundred and twenty-five (725) dollars for the tract and was put down as the purhaser. The sale was for Cash but the purchaser could not comply but says he can comply if given a deed at same time. Said purchaser being anxious to have the property your commissioner required of him a bond with surety payable as soon as the sale might be confirmed and said purchaser having given ~~him~~ such a bond with surety deemed good by your commissioner, the sale is recommended as a good one having sold for $25.00 more than the fee simple value reported by commissioner Geo.R.Atkinson.

Respectfully Submitted.

Wm S. H Mann Spe. Comr.

Bill of cost

		Atty fee & Taxes	1650	
Paid	A. J. Young exor	Clk N.Y.C.	614	
Paid	A. J. Young	" N.Y.C.	289	
Paid	by P Wilkinson	Corr. S.R.A.	1360	
Paid	Ro. A Edwards	Shff	10 00	
Paid	J.R. Whitehead	Crier	300	
	Suffolk Herald -	Hand bills	100	
		Coms.	2350	
		Deed	500	
			7553	
Paid	L. L. Beale's debt to January 11th 1897		661.90	L.L. Beale
	By Sales of Land			7250 0
	Int. on Sum's for Dec. 7th 1896 to Jan 11th 1897			412
	By Bal. due Comr. W.S. Holland			831
			73743	73743

Wm. Hamblet & Co.
vs.
M. E. Rawles, Exr &c

Rec'd Nov. 30th 1897

Stanley

In the Circuit Court of Isle of Wight County
in vacation this 30th day of December 1896

Wm Gamble & Ux

Vs

M. E. Powell's Executor et als

This Cause Came on this day to be again heard on the Papers formerly read, on the Report of Sale by Special Commissioner Wm S. Holland this day filed by leave of Court and on reasonable notice to the defendants and the purchaser, and was argued by Counsel:

On consideration whereof the Court doth adjudge order and decree that said Sale to Allen J Faircloth at the price and Sum of Seven hundred and twenty-five dollars, reported by said Commissioner Holland, be and the same is hereby Confirmed and that upon the receipt of purchase price with interest from the day of Sale the said Wm S. Holland, who is hereby appointed a Special for that purpose, do make, Execute and deliver to said Allen J. Faircloth, a good and Sufficient deed with Special Warranty for the tract of land in the bill and proceedings mentioned and out of the proceeds of Sale pay first the Costs of Suit and Sale and pay the balance to James. D. Beale unless same shall be more than Sufficient to Satisfy the said debt, and in case of a Surplus after paying the debt of said Beale pay the same Ratably to the Creditors of said deceased in like manner as the Executor by a former decree is required to pay the money in his hands.

Robert R Prentis

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

In the Clerks of the Circuit Court of Isle of Wight County December 31st 1896. This decree was presented and entered of record

Test M. T. Young Cl. C.

A Copy Test

Saml. H. Edwards D.C. by Saml. H. Edwards Deputy

Paid April 22nd 1895 by
M. E. Pancoe ... one hundred
and eighteen (118) dollers
and twenty five cents leaving
a bal due of $600 as of
April 22/1895.
W. S. Holland

I hereby assign with all
security this bond for value
rec'd to I. L. Beale
without recourse to me. this
27th April 1895
W. S. Holland

Received Payment
June 11th 1895
I. L. Beale

$650.00 ..... one year after date I promise to pay unto

W.S. Hallam ..... his Heirs, Executors, Administrators or Assigns,

the just and full sum of... six hundred & fifty (650/..DOLLARS and ..no.....CENTS,

current money of the United States, for value received, with interest from date: for the payment of

which...I.....bind.....my.sel.f....., ...my...Heirs, Executors and Administrators firmly by these presents;

and...I.....hereby waive the benefit of...my.....Homestead Exemption as to this debt, obligation or contract.

As witness.....my.....hand.....and seal.....this.....22nd.....day of .....July....., in the

year of our Lord one thousand eight hundred and ninety-three. This bond is secured by

a deed of trust on real estate

M.E. Powell .....[SEAL.]

WITNESS.....

.....[SEAL.]

All Available Text Successfully Captured

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Wm. Gamble & Co.,

VS

M. E. Powell's Executor et als

REPORT of Disburse-
ments by Com'r. Stevens Spec. Com
Filed April 28th, 1902.

Wm. Gamble & Co.,

VS

M. E. Powell's Exectutor, et. als.

The undersigned, your Special Commissioner, begs to report that persuant to a decree herein, under date of December the 30th, 1896, the undersigned collected the purchase price of the land in the bill and proceedings mentioned, and made a deed to the purchaser, and paid out of the fund in hand in accordance with said decree. See decree and statement on the back thereof together with vouchers. The said estate is due your commissioner ~~in~~ the sum of eight dollars and thirty one cents with interest thereon from April, 1897.

Your Commissioner begs further to report that there is a decree requiring A. E. Bell, Administrator of M. E. Powell, deceased, to distribute the money in his hands as such, but your commissioner is not advised as to whether the said Administrator had done so or not.

Respectfully submitted.

Wm S. Holland

Spl. Comr.

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Wm Rambler
vs
M. E. Powell's exrs &c

Oct. 26-1896

Decree

To be entered

Robert D. Francis

Entered

of trust securing the same proceed to
sell the lands in the bill mentioned
for cash as required by said deed
of trust, but before said special
shall enter on his duties hereunder
~~Title~~ he shall give a bond
in the penalty of $1200.— with
surety deemed sufficient by the clerk
of this Court before whom
said bond shall be executed
and that said bond be made
payable and conditioned according
to law. And that said
Commissioner shall make report
to Court.

Gamble & Co
vs.
Powell's Executor et als.

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Atkins on filed herein on the 16th day of October 1896 to which there is no exception and was argued by Counsel:

On consideration whereof the Court doth adjudge order and decree that said report of Commissioner Atkins on be, and the same is, hereby confirmed.

And the Court doth further adjudge, order and decree that A. E. Bell executor of M. E. Powell deceased do pay out the amount in his hands pro rata to all the creditors in the said report named or their attorneys, and that W. S. Holland who is hereby appointed a special Commissioner for that purpose, after first advertising the time, terms & place of sale as required by ~~said~~ the decree

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Wm. Gamble & CO.

vs.

M.E.Powell,s Ex,or. et als

December 30th I896.

D E C R E E .

To be entered.

Robert C. Ferris

Dec. 31st 1896

Recorded Vendue Record

In the Circuit Court of Isle of Wight county in vacation this 30th. day of December 1896.

Wm. Gamble & CO.

vs.

M.E.Powell,s executor et als.

This cause came on this day to be again heard on the papers formerly read, on the report of sale by special commissioner Wm.S.Holland this day filed by leave of court and on reasonable notice to the defendants, and the purchaser, and was argued by counsel:-

On consideration whereof the court doth adjudge, order and decree that said sale to Allen J.Faircloth at the price and sum of seven hundred and twenty-five dollars reported by said commissioner Holland, be and the same is hereby confirmed, and that upon the receipt of the purchase price with interest from the day of sale the said Wm.S.Holland, who is hereby appointed a special commissioner for that purpose, do make, execute and deliver to said Allen J. Faircloth a good and sufficient deed with special warranty for the tract of land in the bill and proceedings mentioned and out of the proceeds of sale pay first the costs of suit and sale and pay the balance to James I.Beale unless same shall be more than sufficient to satisfy the said debt, and in case of a surplus after paying the debt of said Beale pay the same ratably to the creditors of said deceased in like manner as the executor by a former decree is required to pay the money in his hands.

Robert R. Prentis

To the clerk of the Circuit Court of Isle of Wight county, Virginia:

In the clerks office of the Circuit Court of Isle of Wight County, December 31st 1896. This decree was received and entered of record

Teste

W. T. Young Clk

by Saml. D. Edwards. Deputy

Wm. Gamble & CO.

vs.

M.E.Powell,s Executor et al

In Vacation June I3th I896

Decree

To be entered. June 13, 1896

Robert S. Lewis

In the Circuit Court of Isle of Wight county in Vacation June 13th 1896.

Wm. Gamble & CO.
vs
Powell,s Executor et als.

This cause came on this day to be heard on reasonable notice to the ~~adverse parties~~ defendants, on the bill of complaint taken for confessed as to the adult defendants, on whom process has been duly served, they still failing to appear, plead answer or demur, and on the answer of the infant defendants R.J. Thomas, by their guardian ad litem, duly appointed at rules, according to law, and was argued by counsel:

On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court take, state and report to the next term of the court the following accounts and enquiries:

(I) An account of the debts outstanding and unpaid against the estate of M.E.Powell deceased, stating their priorities.

(2) An account of the doings and transactions of A.E.Bell the executor of said Powell.

(3) Enquire and report whether the assets in the hands and to come in the hands of said executor will pay the debts in full, and if not then to further enquire and report the annual and fee-simple value of the lands of said M.E.Powell deceased stating the liens thereon, if any,

(4) Enquire and report whether the lands of said Powell will rent for enough in five years to pay his debts after exhausting the personal assets?

(5) Any matter deemed pertinent by the commisioner or any party in interest.

Robert Travis

To the clerk circuit Court of Isle of Wight Co.

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Wm. Gamble,

vs

M. E. Powell et. als.

DECREE.

April 28th, 1902.

Enter.

C.O.B. 6, page 261.

Wm. Gamble,

vs

M. E. Powell et. als.

This cause came on this day to be again heard on the papers formerly read, and on the report of disburstments made by Special Commissioner, Wm. S. Holland, in the years 1896-97, this day filed by leave of Court, and was argued by counsel.

On consideration whereof, the court doth adjudge , order and decree that said report of disburstments by Wm. S. Holland, Special Commissioner, showing a balance due said Commissioner of $8.31, to which no exceptions have been filed, and the same is hereby confirmed, It appearing to the court that said report is supported by proper vouchers.

In the County Court of Isle of Wight County the 3rd. day of June 1895, the last Will and Testament of Miles E. Powell deceased was proved by the oaths of A. J. Stephenson and L. H. Stephenson the subscribing witnesses thereto, and ordered to be recorded

Teste, N. P. Young clk,

A copy. Teste,

N. P. Young clk.

Miles E. Powell's Will. Copy

I Mills E. Powell, of the County of Isle of Wight State of Virginia being sound disposing mind, memory and understanding, do make my last will and testament in manner and form following.

1st. I direct all my just debts and funeral expenses to be fully paid and satisfied by my executor hereinafter named as soon as conveniently may be after my decease.

Ex. hibit 'A'

2nd I give, devise and bequeath unto Mrs. Catharine Epps and her children the wife of George E. Epps all of my property real personal and mixed of what nature or kind soever and wheresoever the same shall be at the time of my death.

3rd: I hereby nominate constitute and appoint A. E. Bell executor of this my last will and testament.

In witness whereof I Mills E. Powell the testator have to this my last will and testament set my hand and seal this 8th day of April A.D. 1889.

M. E. Powell (Seal)

Signed, sealed published & declared by the above named Mills E. Powell as and for his last will and testament in the presence of us who hereunto subscribed our names at his request as witnesses thereto in the presence of the said estate and of each other.

A. J. Stephenson

A. H. Stephenson

Dolls 328 92/100 New York, Jany 6th 1892

On Demand – after date I promise to pay

to the order of Wm. Gamble & Co

Three Hundred & Twenty Eight — 92/100 DOLLARS

at 185 Reade St New York City

Value received with Interest

Due

No

M. E. Powell

Treas. Pd.

Form No. 312. 1

Certificate of Clerk of Qualification

OF

A. E. Bell

as Executor

of Mills E. Powell

deceased.

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

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

I, A. P. Young, Clerk of the County Court of the County of Isle of Wight, do hereby certify that on the 2d day of June 1895, A. E. Bell duly qualified in my said court as Executor of Mill E. Powell dec'd and gave bond as such according to law.

Given under my hand this 10th day of February 1896.

A. P. Young Clerk.

Ex Hist VIS

Executed by delivering to the within
A E Bell J J Beale F C Robins. Wm Catherine
Eppes & R E Boykin Jr each
a true copy of the within Notice June,
15th 1896. Geo E Eppes has since died.

Ro A Edwards

COURTS:
Isle of Wight, Nansemond,
and Southampton.

LAW OFFICE
—OF—
W. S. HOLLAND.

Windsor Station, Va.

To A.E.Bell executor of W.E.Powell deceased, Irvin Beale, F.C.Roberts trustee, Mrs Catherine Epps, Geo.E.Epps, ~~R.F.Boykin~~ R.S. Thomas guardian adlitem for Jonnnie Epps, Hugh Epps and Blank Epps:

Please take notice that on the 13th day of June 1896 at his office in the town of Suffolk Va. we shall apply to the Hon. Robert R.Prentis Judge of the Circuit Court of the county of Isle of Wight to enter an interlocutory decree for Inquiries and Accounts in the chancery suit pending in the said Circuit court in which you are defendants and William Gamble and Andrew Gamble parners in busness under the name and style of Wm. Gamble & Co. are plaintiffs.

Respectfully,

Wm. Gamble & Co.

By W.S.Holland their atty.

I accept service hereof and waive service by an officer.

R.S Thomas
Guardian ad litem

Executed this day by delivering to each of the within named parties a true copy of the within notice.

December 26th I896.

Ro. A. Edwards Sheriff of Isle of Wight county, Virginia.

To James I. Beale, A.E.Bell executor M.E.Powell decd., F.C.Roberts trustee and R.S.Thomas guardian adliten and Mrs. Catherine Epps:

Please take notice that we shall on the 30th day of December I896 at the office of Hon. Robert R.Prentis in the town of Suffolk apply to the said Hon. Robert R.Prentis judge of the Circuit Court of Isle of Wight county in vacation for an interlocutory decree for confirmation of sale and for distribution in the suit of Wm.Gamble & CO vs M.E.Powell,s executor et als.

Wm.Gamble & CO by their attorney

Wm S. Holland