

1908-043 Chancery Causes. K. E. Barrett + Company, W. J. Bradshaw + R. W. Atkins, JmVC 34

Isle of Wight County

VS Annanda Allmond, admr of Moses Allmond + al

other surnames: Ricks,
Barrett, Darden,
Joyner

H. E. Barrett No. 4 all

25 { Comptrolments Bill

Mons Althaus's Admone et al

R. P. Heane p. 9.

1st February rules 1908
Process returned executed
on all parties defendant
Bills filed. De mere.

2nd Feb'y rules 1908
Answers of Infant defend-
ants, by guardian ad litem
filed - Adult defendants
still failing to appear, placed
answers or demurs, Bills taken
for confessed as to them and
case set for hearing

mond, deceased, be assigned her, or in the event that she so require that said dower interest be commuted and paid to her in lieu of said dower; that proper process issue and that all proper orders and decrees may be made; and that your complainants may have such further and other and general relief in the premises as the nature of their case may require and to equity may seem meet, and notice is hereby given that proper counsel fees will be asked for in progress of this suit.

And your complainants will evern pray &c.,

N. E. Barrett & Co

H. J. Bradshaw

R. W. Schurz

Of Counsel Complainants.

Clark R. Hearn

Counsel.

Your complainants are creditors of said Moses Allmond, deceased, in the sum of one hundred fifty two and 02/100 dollars evidenced by notes and accounts hereto attached and marked "Exhibits A. B. C. & D".

Your complainants also state that the rents and profits of the said real estate in five years would not satisfy the indebtedness of the said Moses Allmond, deceased.

Your complainants further state that Charlotte Allmond, Ella Allmond and Mottie Allmond three of the children of the said Moses Allmond infants under the age of twenty-one years.

In tender consideration whereof, and forasmuch as your complainants are remediless in the premises save by the aid of a court equity, they pray that the said Amanda Allmond, Administratrix of the estate of Moses Allmond, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mottie Allmond children of the said Moses Allmond, deceased, may be made parties defendant to this bill and required but not on their oaths, to answer the same, the oaths being hereby waived, the said adults in their own proper persons, and the infants by guardian ad litem; that a proper guardian ad litem be appointed in this cause for said infants, who shall also answer this bill; that the Administratrix be required to render before one of the Commissioners of this Court an account of her transactions, that an account of the debts be taken together with proof of the same; that said Commissioner be required to report the fee simple and annual value of the said real estate, of which the said Moses Allmond, deceased died seized and possessed; that sale be made of the real estate aforesaid if the same be necessary and that the proceeds of said sale of the personal property, if any, be applied to the payment of the debts according to their priority; that the dower interest of the said Amanda Allmond, widow of said Moses All-

To the Honorable R. E. Boykin, Judge of the Circuit Court
of Isle of Wight County, Virginia.

K. E. Barrett and M. A. Barrett partners trading as K E.
Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who
sue on behalf of themselves and such other of the creditors
of said Moses Allmond, deceased, as shall come in and contri-
bute to the costs of this suit, Plaintiff.

versus IN CHANCERY.

Amanda Allmond, Administratrix of the estate of Moses Allmond,
deceased, Amanda Allmond, widow of the said Moses Allmond,
deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr.,
Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond
and Mottie Allmond; children of the said Moses Allmond, de-
ceased, the last three being infants under the age of twenty-
one years and E. H. Williams their guardian ad litem.

Defendants.

Your complainants, K. E. Barrett and M. A. Barrett
partners trading as K. E. Barrett and Company, W. J. Bradshaw,
and R. W. Atkins, respectfully represent:

That some time in the year 1907 the said Moses Allmond,
departed this life and Amanda Allmond, on the 15th day of
April, 1907 was appointed Administratrix of Moses Allmond,
deceased. Your complainants allege that said Moses Allmond
died seized and possessed of very little personal property
which is by no means sufficient to pay his debts, and the
following real estate:

"All that certain tract or parcel of land lying and be-
ing in the County of Isle of Wight and State of Virginia contain-
ing by estimation eighty-nine acres be the same more or less
but it is sold in gross by the tract and not by the acre, and
bounded as follows: on the east by the lands of Geo. W. Denson,
south by the mill pond of Thos. Joyner, west by the said mill
pond and the lands of Mary F. Felch, and north by the lands of
Crawley Hill, col. and Wm Happer col."

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K. E. Barrett & Co. et als.

vs) Chancery

Moses Allmonds Admx. et als.

Answer of guardian ad litem
of infant defendants.

Filed 2nd. Feb. rules, 1908.

John Johnson *cc*

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 interests herein; and that they therefore commend themselves and their rights and interests to the protect on of the court, and pray that no decree may be entered that will tend to their prejudice.

And now, having fully answered the complainants' bill, these defendants pray to be hence dismissed with their reasonable costs by them in this behalf expended.

E. Williams—

Guardian ad litem for

Charlotte Allmond,

Ella Allmond, and

Mottie Allmond,

Defendants.

To the Honorable R. E. Boykin, Judge of the Circuit Court
of Isle of Wight County, Virginia.

K. E. Barrett and M. A. Barrett partners trading as K. E.
Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who
sue on behalf of themselves and such other of the creditors
of said Moses Allmond, deceased, as shall come in and contri-
bute to the costs of this suit, Plaintiff.

versus IN CHANCERY.

Amanda Allmond, Adm nistratrix of the estate of Moses Allmond,
deceased, Amanda Allmond, widow of the said Moses Allmond,
deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr.,
Joseph Allmond, James Allmond, Charlotte Allmond, Ella All-
mond and Mottie Allmond; children of the said Moses Allmond,
deceased, the last three being infants under the age of twen-
ty one years and E. H. Williams their guardian ad litem.

Defendants.

The separate answer of Charlotte Allmond, Ella All-
mond and Mottie Allmond infants under the age of twenty-one
years, by E. H. Williams their guardian ad litem appointed
to defend them in this suit, to a bill of compalint filed
against them and Amanda Allmond, Adm nistratrix of the
estate of Moses Allmond, deceased, Amanda Allmond, widow of
the said Moses Allmond, deceased, Mittie Ricks, John Allmond
and
Moses Allmond, Jr., Joseph Allmond, James Allmond in the
Circuit Court of Isle of Wight County, by K. E. Barrett and
M. A. Barrett partners trading as K. E. Barrett and Company
W. J. Bradshaw and R. W. Atkins, who sue on behalf of them-
selves and such other of the creditors of the said Moses
Allmond, deceased, as shall come in and contribute to the
costs of this suit, plaintiffs.

These defendants reserving to themselves the benefit of
all just exceptions to the said bill of complaint, for ans-
wer 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:

W. E. Barrett & Co et al

VS.

}

SUBPOENA
IN
CHANCERY.

Mrs. Almonds Adm et al

At Dec 1 p. 9

To 1st February Rules,

1908 Court.

For No B 3119

Executed January 31st
1908. by serving a true
copy of the within process
upon E. H. Williams
Guardian ad litem of the
infant defendants in this
suit, in person, in the
County of Suffolk.

W. A. Edwards
Sheriff of
the County of Suffolk

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Amanda Allmond, Administratrix of the estate of Moses Allmond, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mot-tie Allmond, children of the said Moses Allmond, deceased, the last three being infants under the age of twenty one years, and E. H. Williams, their guardian ad litem,

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 1st. Monday in February, 1908, to answer a bill in chancery, exhibited against them in our said court for by K. E. Barrett and M. A. Barrett, partners trading as K. E. Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of the said Moses Allmond, deceased, as shall come in and contribute to ~~the costs of~~ the costs of this suit,

And have then there this writ. Witness ~~My hand and seal~~ A. S. Johnson, Clerk of our said court, at the court-house, the 29th. day of January, 1908, 190 , and in the 12 132nd. year of the Commonwealth.

Teste, *A. S. Johnson* C.C.

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H. E. Jones, Jr., et al.

VS. }
SUBPOENA
IN
CHANCERY.

Moses Allmond, Administratrix et al.

Parte 13 Neave p. 9

To *1st January* Rules,

Devisuit Court.

1908
B 3119

Executed this 31st day of January, 1908, by delivering a true copy to the within named

*W. A. Edwards
for O. L. Ballou
Deputy*

Executed upon Amanda Allmond, Administratrix of Moses Allmond, deceased, Amade Allmond, John Allmond and Joseph Allmond this 31st. day of January, 1908, by delivering a true copy of the within process to the said parties in person, in the County of Isle of Wight.

Moses Allmond, Junior, not being found at his usual place of abode, the within process was executed upon the said Moses Allmond Jr., this 31st. day of January, 1908, by delivering a true copy thereof to his mother, at his residence, in the County of Isle of Wight, explaining to her the nature and purport of same.

W. A. Edwards
Sheriff of Isle of Wight County,

By *O. L. Ballou*
Deputy Sheriff.

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon ¹Amanda Allmond, Administratrix of the estate of ²Moses Allmond, deceased, ³Amanda Allmond, widow of the said Moses Allmond, deceased, ⁴Mittie Ricks, John Allmond, ⁵Moses Allmond Jr., Joseph Allmond, ⁶James Allmond, ⁷Charlotte Allmond, ⁸Ella Allmond and ⁹Mottie Allmond, ¹⁰children of the said Moses Allmond deceased, the last three being infants under the age of twenty one years, and ¹¹E. H. Williams, their guardian ad litem,

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 1st. Monday in February, 1908, to answer a bill in chancery, exhibited against them in our said court for by K. E. Barrett and M. A. Barrett, partners trading as K. E. Barrett and Company, W. J. Bradshaw and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of Moses Allmond, deceased, as shall come in and contribute to the costs of this suit,

And have then there this writ. Witness ¹²*A. Johnson*, Clerk of our said court, at the court-house, the 29th. day of January, 1908, and in the 12132nd. year of the Commonwealth.

Teste, *A. Johnson* C.C.

Executed in the City
of Norfolk this 31st
day of January 1908
by serving copies here
upon Mittie. Ricks
and James Almond

J. F. Lawley Supt
City of Norfolk
by J. T. M. Lyring
Sfty

Sergeants fee \$1.00 Pch

J. T. M. Lyring
Sfty

H. E. Barrick & Co et als

vs. }

SUBPOENA
IN
CHANCERY.

Mrs Almonds Adm ex et als

Att. P. Heaus p. 9

To 14 Feb Rules,
Circuit Court.
1908

B 31119

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Amanda Allmond, Administratrix of the estate of Moses Allman, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mottie Allmond, children of the said Moses Allmond, deceased, the last three being infants under the age of twenty one years, and E. H. Williams, their guardian ad litem,

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 1st. Monday in February 1908, to answer a bill in chancery, exhibited against them in our said court for By K. E. Barrett and M. A. Barrett, partners trading as K. E. Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of Moses Allmond, deceased, as shall come in and contribute to the costs of this suit,

A. S. Johnson,
And have then there this writ. Witness ~~NATHANIEL F. YOUNG~~, Clerk of our said court, at the court-house, the 29th. day of February, 1908, and in the 12132nd. year of the Commonwealth.

Teste,

A. S. Johnson

C.C.

We hereby accept due, legal and sufficient service of the withinnotice.

K. E. Barrett & Co., W. J. Bradshaw and R. W. Atkins,

By *Kirk P. Adams*
their counsel.

Amanda Allmond, Administratrix of the estate of Moses Allmond, deceased, Amanda Allmond, widow of Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond Jr., Joseph Allmond, James Allmond, O. L. Allmond, and Mary Allmond, et al.

By *E. H. Williams*
their counsel

E. H. Williams
Guardian ad litem of the infant defendants.

Extract from decree entered in the chancery cause of K. E. Barrett & Company, et als. vs. The administratrix of Moses Allmond, et als. on the 10th. day of March, 1908.

"(1) The annual and fee simple value of the real estate mentioned in the Bill in this cause of which the said Moses Allmond died siezed and possessed and whether or not there are any delinquent taxes against same.

(2) An account of the lien debts against the said real estate with their priorities and of all other debts due by said Moses Allmond, deceased.

(3) An account of the transactions of Amanda Allmond, Administratrix of the said Moses Allmond, deceased.

(4) Any other matters specially stated deemed pertinent by the Commissioner or required to be stated by any party in interest.

To K. E. Barrett and M. A. Barrett, partners trading as K. E. Barrett & Company, W. J. Bradshaw, and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of said Moses Allmond, deceased, as shall come in and contribute to the costs of this suit, Amanda Allmond, Administratrix of Moses Allmond, deceased, Amanda Allmond, widow of Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mottie Allmond, the three last being infants under the age of twenty one years, and E. H. Williams, their guardian ad litem.

To the parties in the above suit:

Take notice that I shall, on the 7th. day of April, 1908, at my office at Isle of Wight Courthouse, in the County of Isle of Wight and State of Virginia, at the hour of ten o'clock A.M. proceed to execute the decree in the Chancery cause in the Circuit Court of the said County of Isle of Wight pending, styled, generally, K. E. Barrett & Co. et als. vs. Moses Allmond's Administratrix et als.

Given under my hand this 1st. day of April, 1908.


Commissioner in Chancery.

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

K. E. Barrett & Co. et als, who sues etc.

vs) Chancery.

Moses Allmond's administratrix et als.

TO HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

The undersigned, one of the Commissioners in Chancery of Your Honor's Court begs leave to report that, in pursuance to a decree entered herein on the 10th. day of March, 1908, he issued notices to all the parties in this suit that he would, at his office at Isle of Wight Courthouse, Isle of Wight County, Virginia, on the 7th. day of April, 1908, proceed to execute the said decree, the same having been referred to him, at the hour of ten o'clock A.M. of that day, which notice, showing service thereon is hereto attached. That he attended at the time and place aforesaid and proceeded to take the depositions of M. W. Darden et als. for and on behalf of the plaintiffs and adjourned the further taking of depositions in this case till the 19th. day of June, 1908, at the same time of that date and the place aforesaid. That he attended at the time and place aforesaid on the said 19th. day of June, 1908, and at that time counsel for the complainants and the defendants, Mr. Parke P. Deans and Mr. E. H. Williams, respectively, reported to your commissioner that they had settled all matters and things set forth in the Bill and proceedings of this suit and that the further taking of depositions would not be required.

Given under my hand as Commissioner in Chancery this 19th. day of June, 1908.


Commissioner in Chancery?

Barrett + Co et als

vs { Manavery

Almonds Adm et als

Commissioners Report

Filed June 19. 1908

Doct. O. Johnson. Ce

(At this point counsel for plaintiffs rested his case)

The further taking of depositions in this case is adjourned till _____

Friday the 19 day of June 1908 at the place and hour mentioned in the notice hereto attached, being the place and hour fixed for the taking of the depositions on this date.

By agreement of counsel the signatures of the witnesses were waived and the testimony taken in short-hand to save time.

Given under my hand this 7th. day of April, 1908.



Commissioner in Chancery.

Q. How many acres cleared.

A. I dont know sir.

Q. How many would you say.

A. I should judge about thirty five or forty, about half of it. There is a field on each side of the road, I should say about thirty five or forty acres.

Q. There are two settlements on this place, arent they?

A. There is a small tenant house, about twelve or fourteen. The main dwelling house has out buildings but they are dilapidated as I told you awhile ago, but the other house has none.

Q. Any timber on this place.

A. Well now there may be some, but very little bit, very little, it dont amount to anything. There may be a few scattering pines on the hill sides but not to amount to anything.

A. Have you any idea of the value of the standing timber?

Q. I do not know. I have never considered it anything. It has all been cut off. It is right by a saw mill and it has all been cut off except a little scattered about on the hill sides and down in the ~~the~~ ravines.

Q. What does land usually rent for per acre in that community?

A. It depends on what kind of land it is.

Q. Well, medium land?

A. Well it rents all the way from three dollars up.

Q. Up to what?

A. Some localities it rents as high as ten and fifteen dollars per acre. I dont mean that, in that locality.

Q. How far is this place from Everetts Bridge.

A. I reckon it is four miles.

Q. Is Everetts Bridge a shipping point.

A. Yes sir, it is a shipping point.

Q. Is it located on the county road?

A. Yes sir.

Re-direct examination by Mr. Deans.

Q. Is it in a desirable location.

A. Well, you might term it so for a darkey but nor for a white person.

it is surrounded by darkies.

And further this deponent saith not.

F. D. Joyner being duly sworn, deposes and says:

Direct examination by Mr. Deans.

Q. Please state your name, age, residence and occupation?

A. F. D. Joyner, Forty one, the eighteenth of last August. Orbit, Farmer.

Q. Mr. Joyner, do you know the land of which Moses Allmond died siezed and possessed?

A. Yes sir:

Q. How long have you known it and how far do you live from it?

A. Why, I have been knowing it for thirty years, I live about a mile and a half from it.

Q. Will you state what you consider to be the annual and fee simple value of the real estate of which Moses Allmond died siezed and possessed?

A. I should think the rent value of it would be some two dollars and a half or three dollars an acre- well say one hundred and thirty five dollars. The fee simple value, I guess, is about fifteen hundred dollars.

Q. How many acres of open land are in this piece.

A. I could not answer that question directly to my own knowing. Do you want me to estimate it.

Q. Yes.

A. Well, I should think some forty or fifty acres, from observation.

Q. State the location and condition of the farm?

A. Well, the location is fairly good location, the boundaries are on one side of it a mill pond and ~~the other side~~ on the other side Arnold Worrel, and the next I think, I know, by J. C. Hill and William Happer.

Q. Who are these parties?

A. They are colored people.

Q. You state that it is a fairly good location, what do you mean?

A. What do I mean by that. Well, I mean by that, it is considered I

suppose, in a fairly good neighborhood. I do not mean to say first class.

Q. Would it be a good neighborhood for a white person.

A. Well, I would not like to live there myself. I ~~would~~ am as close down that way as I want to get. I do not mean to say that it is desirable for a white person to live in.

Q. Mr. Joyner, what condition are the buildings.

A. Well, I should judge all the buildings are in a pretty bad condition, except the dwelling house. I do not know that that is in such good shape. The out buildings are in a pretty bad condition.

Q. Any timber on the place.

A. There might be some, not very much. Why I shouldn't judge that there are over ten or fifteen thousand feet, maybe ten thousand.

Q. Isn't it a fact that it has all been cut off for lumber and for cross ties in a very few years.

A. Well, that is a question that I do not know that I am in shape to answer as to all of it, but part of it I think has.

Cross examined by Mr. Williams.

Q. Up on what do base your idea of the value of this property?

A. Well, I should think that that quantity of land would be worth that amount of money. It is in a fairly good state of cultivation. Not rich and not poor.

Q. Then no value is added to this place on account of its location?

A. Certainly not, no sir I should say not.

Q. And further this deponent saith not.

L J. Darden being duly sworn, deposes and says:

Direct examination by Mr. Deans:

Q. Please state your name, age, residence and occupation.

A. L. J. Darden, forty nine years, Orbit, Isle of Wight County, Farmer.

Q. Mr. Darden, do you know the land off which Moses Allmond died siezed and possessed.

A. Yes sir, I know the place.

Q. How far do you live from it?

A. Two miles.

Q. Will you state what you consider to be the annual and fee simple value of the real estate of which the said Moses Allmond died siezed and possessed.

A. That farm on which he died is all that he possessed?

Q. Yes.

A. Why I should think \$125 would be a fair rent for it, I should think fifteen or sixteen hundred dollars would be a fair cash price for it.

Q. Mr. Darden, state the location and condition of the farm as you know it.

A. Well sir, the farm has a mill pond running half way around it, and it is considered and has always been, ever since I have known it, a very sickly place, and I have known it all my life. I was raised in two miles of it. It is considered sickly and unhealthy because it is bounded all or half way around by a mill pond.

Q. What are the conditions of the buildings on the place?

A. Well sir they are dilapidated. Most everything except the dwelling is rotten down.

Q. What kind of a house is the dwelling.

A. It is what you call a story and a half high. It has never been painted. It has two small rooms down stairs and I do not know how many rooms are up stairs.

Cross examined by Mr. Williams.

Q. How many acres of land in this place, Mr. Darden?

A. I only know by hear-say, Mr. Williams. I have heard there were between eighty five and ninety acres.

A. I do not know. I judge there is somewhere about 100, it may be more or less.

Q. How many acres of cleared land are there?

A. I reckon 65 or 70.

Q. Is it land adapted to the cultivation of crops usually grown here in this County.

A. Yes, I suppose so. It raises corn and peanuts. The land is cut up in ravines and hill sides.

Q. What does land usually rent for per acre.

A. I can only judge by the land rents in that section. I know a man who rents what I consider above the average land for \$5 an acre. I rent myself a farm of 148 acres for \$150 I judge that will bring three times as much as the Allmond tract.

Q. How many acres of that land is cleared?

A. About 75

Q. Is your land about as good as any in the community?

A. I judge so.

Q. You are getting it at a mighty cheap rent aren't you?

A. I think it is a plenty.

Q. You would not say that this land of Moses Allmond is the poorest land in the neighborhood would you?

A. No, I would not say that it is the poorest in the neighborhood. It is not in a good state of cultivation but it could be taken and made good land. Some of it could not for it is in hill-sides and gullies.

Q. You say this would be a good investment for \$1500.

A. I think a man's money would be safe at \$1500 in the place.

Q. How much rental should a man receive upon a \$1500 investment to make it a good paying investment?

A. Well, it looks to me like \$100 a year ought to pay him.

Q. If paying taxes and insurance?

A. What is there to get insurance on-land? If you insured the buildings I don't suppose you could get \$100 insurance on them, on all on the place.

Q. Then the value of this place consists not in the buildings but the land
A The buildings are not worth much and all the timber has been cut off the land.

The depositions of M. W. Darden, et als. to be read as evidence in the Chancery cause, generally styled K. E. Barrett & Co. et als. vs. Allmond's Administratrix et als., now pending in the Circuit Court of the County of Isle of Wight, taken at the office of A. S. Johnson, a Commissioner in Chancery of the said Court, at Isle of Wight Courthouse, on the 7th. day of April, 1908, between the hours of ten o'clock A.M. and five o'clock P.M.

Present, Parke P. Deans, attorney for the plaintiffs
E. H. Williams, attorney for the defendants.
E. H. Williams, guardian ad litem of the infant defendants.

M. W. Darden being duly sworn, deposes and says:

(Direct examination by Mr. Deans)

Q. Please state your name, age, residence and occupation?

A. M. W. Darden, thirty two years old. Isle of Wight County, Farmer.

Q. Do you know the tract of land of which Moses Allmond died siezed and possessed?

A. I do.

Q. How near do you live to this place?

A. In less than a mile, or a mile, more or less.

Q. What do you consider a fair annual and fee simple value of the tract of land of which Moses Allmond died siezed and possessed?

A. I consider \$125 a fair value of rent and about \$1500 I judge would be a fair price.

Q. Where is it located, tell me something about the location of the place, and state what you base your opinion upon as to this amount.

A. It would depend upon the purchaser. I would not give \$1000 for it if I had to go there myself. It is in a colored neighborhood and not a white residence within a mile. It might be worth \$1500. I would not live there myself.

Q. What do you know of the buildings on the place?

A. They are very poor. About the average of the negro population.

(Cross examined by Mr. Williams)

Q. How many acres of land in this place?

N. E. Barrett Theo., et als

R. { Deere

Moses Allmonds Adm et als

1908,
March 10. Enter this
W. N. D. or Block

C. O. B. No 6 p. 54³

with their priorities and of all other debts due by said
Moses Allmond, deceased,

(3)

An account of the transactions of Amanda Allmond, Adminis-
tratrix of the said Moses Allmond deceased.

(4)

Any other matters specially stated deemed pertinent
by the Commissioner or required to be stated by any party in
interest.

K. E. Barrett and M. A. Barrett partners trading as K. E. Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of said Moses Allmond, deceased, as shall come in and contribute to the costs of this suit, Plaintiff.

versus IN CHANCERY.

Amanda Allmond, Administratrix of the estate of Moses Allmond, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mottie^{Allmond.}; children of the said Moses Allmond, deceased, the last three being infants under the age of twenty-one years and E. H. Williams their guardian ad litem,

Defendants.

This cause, came on this day to be heard upon the complainants' bill and exhibits filed; proof of legal service of proper process on the respondents, Amanda Allmond, Administratrix of Moses Allmond, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr., Joseph Allmond and James Allmond in person, who have failed and still fail to appear, plead, demur or answer the said bill, which is taken for confessed as to them; the answer of the infant respondents, Charlotte Allmond, Ella Allmond and Mottie Allmond by E. H. Williams their guardian ad litem, to said bill; and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this court, who will inquire into and report to court:

(1) *mentioned in the bill in this cause*
The annual and fee simple value of the real estate of which the said Mos~~x~~es Allmond died seized and possessed and whether or not there are any delinquent taxes against the same,

(2)

An account of all lien debts against the said real estate

H. F. Barrett & Co et als

v. Decree.

Moses Allmonnd's Admrs et all

C. O. B. No. 6. p. 542.

1908-

Feb 27th Easter Term
Wm. J. P. H. R. R.
Presiding Judge.

The consent to the application
for this decree

E. H. Williams
Guardian ad litem
for the infant defendants,
Charlotte, Elsie and
Mollie Allmonnd-

E. H. Williams p. d.
for Anna and Joseph Allmonnd, Admrs of the
Estate of Moses Allmonnd deceased, Anna Allmonnd
Allmonnd, widow of the said Moses Allmonnd
deceased, Mollie Hicks, John Allmonnd
Moses Allmonnd Jr. Joseph Allmonnd
& James Allmonnd,

K. E. Barrett and M. A. Barrett partners trading as K. E. Barrett and Company, W. J. Bradshaw, and R. W. Atkins, who sue on behalf of themselves and such other of the creditors of said Moses Allmond, deceased, as shall come in and contribute to the costs of this suit, Plaintiff.

versus IN CHANCERY.

Amanda Allmond, Administratrix of the estate of Moses Allmond, deceased, Amanda Allmond, widow of the said Moses Allmond, deceased, Mittie Ricks, John Allmond, Moses Allmond, Jr., Joseph Allmond, James Allmond, Charlotte Allmond, Ella Allmond and Mottie^{Allmond}; children of the said Moses Allmond, deceased, the last three being infants under the age of twenty-one years and E. H. Williams their guardian ad litem,

Defendants.

By consent of all parties entered of record in open Court it is ordered that this cause be submitted to the Judge of this Court for such order or decree in vacation as may be made in term.

K. E. Barreth & Co.
T. In Chancery.
Amend & Amend &
Us -

Final Decree

C.O.B. No. 6, page 537.

We can send
to the within decree

Amend & Amend &
Us -

G. H. Williams, p.d.

1908

Dec. 8

Enter this

B. H. W.

K. E. Barre et al

Plaintiffs

V. In Chancery -

Amanda Remond

Defendant.

This Cause came on this day to be again heard on the papers formerly read and on the statement of Counsel representing Plaintiffs and Defendant that the matter in this suit has been settled, and was argued by Counsel -

On Consideration whereof, the Court doth adjudge order and decree that this ~~suit~~ ^{cause} be stricken from the docket.

\$68⁸¹/_{x4}

Suffolk, Va., Feb 2 1906

Sixty days after date we promise to pay unto

R. E. Barrett & Co

or order, negotiable and payable,

without offset, at the FARMERS BANK OF NANSEMOND Suffolk, Virginia,

Sixty eight⁸¹/₁₀₀ Dollars,

for value received; and it is agreed upon by the parties that the interest on this Note shall be payable in advance; and we, principal and endersers, hereby waive the benefit of our Homestead Exemption as to this debt.

W. E. Stepper

Moses Hallmond
Mark Drake

"Let's let it be"

Windsor, Va. Feb. 4

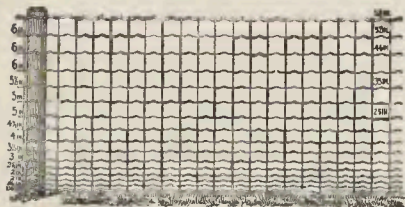
1908

Mr. Moses Almon Col.

Bought of

K. E. BARRETT & Co.

DEALERS IN

GENERAL MERCHANDISE.

1906.

Exhibit B

Feb.	5	To Cash for postage.	5-
March	10	" pair shoes	135-
April	18	" Role of wine	15.00
May	21	Sweet Pick	40
"	19	" 25 Bunches fish, &	20.0
June	27	" 6 yds. leather &	48
Aug.	1	" Best flour	5.00
"	1	" 100 Herrings	1.00
"	6	" Cash to Cartail State	.73
June	24	" Cash to " "	138
		credit	
June	9	By Cash	27.39
Dec	8	" "	11.13

Bal Due 162.6

 113
 10.00
 11.13

\$ 52 ⁰⁰/_{xy}

Windsor Station, Va. February 26th 1907

Ninety days after date I promise to pay unto

W J Bradshaw

or order, negotiable and payable

without offset, at the **Bank of Windsor, Windsor Station, Va.**

(INCORPORATED.)

Twelve DOLLARS,

for value received, with ten per cent for cost of collection, and it is agreed upon by the parties that the interest on this note shall be payable in advance, and we, principal and endorsers, hereby waive the benefit of our Homestead Exemption as to this debt.

No. _____

Due May 9

P.O. Index Va

Witness

Luther C. Wright

Moses X Helmond
mark

"Receipt to"

STATEMENT

Windsor, Va.,

Feb. 4th

1908

M. M. M. M. M. Estate

IN ACCOUNT
WITH

R. W. ATKINS

Dealer in General Merchandise

MILLINERY A SPECIALTY

"Ephiebet D"

1906

Aug	27	1/2 1 Bag White fish	3 25-	
"	28	" 1 Hat for self	2 25-	
"	"	" 1 Pair shirt	1 00	
"	"	" 1 Bag meal	1 75-	
Sept	19	" 1 Bbl flour	6 00 + 10¢ per m.	
"	"	" 1 Pair Draw	5 0	
"	"	" Sugar	2 0	
			\$14 95-	

1

K. E. Barrett & Co. et als.

vs) Chancery.

Moses Allmond's Admx. et als.

Order appointing gdn. ad.litem

Filed Jan. 29th.1908.

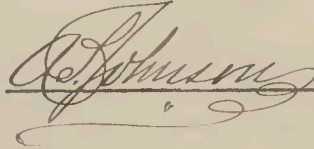
VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT.

K. E. Barrett & Company, et als.

vs) Chancery.

Moses Allmond's Administratrix et als.

On motion of the counsel for the complainant's, E. H. Williams,
a discreet and competent attorney at law, is hereby assigned guardian ad
litem of the defendants Charlotte Allmond, Ella Allmond and Mottie All-
mond, they being infants under the age of twenty one years, to defend
their interests in this suit.

 C.C.