

1911-005 Chancery Causes, Farmers Bank of Nansmond vs Charles M. Carr, Shirley W. Carr,
Isle of Wight County

40

→ M. H. Carr
Petitions of Wiley, Harker & Camp Company v d

other SURNAMES. Wiley, Harker,
Camp, [West & Withers], Withers,
West, Turner, [T. W. Wood & Son],
Wood, Dilworth, Ferguson, Dock,
[W. J. Dilworth & Company, Inc.],
[Southern Bell Telegraph &
Telephone Company], [W. B.
Ferguson & Company], FERRY
[D. M. FERRY & Company], Holland,
Britt, Clements, Johnson,
Rose, Jenkins

\$ 150.00

Know all Men by These Presents, That we, Parke P. Deans

principal, and Virginia Safe Deposit and Trust Corporation
SURETY, ARE HELD AND FIRMLY BOUND UNTO THE COMMONWEALTH OF VIRGINIA,

in the just and full sum of One Hundred and Fifty Dollars,

to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. And as to this bond, we hereby severally waive our homestead exemption, and any claim, right or privilege to discharge any liability arising thereunder to the Commonwealth, or by virtue of the office or trust for which said bond is given, with coupons detached from bonds of this state.

IN TESTIMONY WHEREOF, The said Parke P. Deans
principal, hereto sets his hand and seal, and the said Virginia Safe Deposit and Trust Corporation
surety by George K. Nelms, its duly authorized agent and attorney in fact, has caused its corporate name and seal to be hereunto affixed, the same to be attested by the signature of George K. Nelms its said attorney in fact, this, the 1st day of November A. D., 1909.

if

The condition of the above obligation is such that ~~whereas~~ the above bound
Parke P. Deans, Special Commissioner of Sale in the Chancery cause
of Farmers Bank of Nansemond vs. Chas. M. Carr pending in the Circuit
Court of Isle of Wight County, whose bond was reduced to the penalty
of \$150.00 by decree entered in said cause on the 15th day of October
1909.

~~Now, if the said~~ shall faithfully discharge
any future decree entered in said cause
the duties of his office or trust ~~as~~ under said decree or ~~for~~ said, then the above obligation
is void, else to remain in full force and virtue.

Parke P. Deans,

SEAL.

Virginia Safe Deposit and Trust Corporation,

(SEAL)

Teste,

Geo. K. Nelms,

By Geo. K. Nelms, its
duly authorized Agent and Attorney in Fact.

Virginia: Clerk's Office of the Circuit Court of the County of Isle of Wight, November 1st. 1909, the foregoing bond was signed, sealed and acknowledged by the obligors thereto and entered of record.

Teste, A. S. Johnson, Clerk.

A copt, Teste,

Clerk.

13

Farmers Bank of Nansemond,
vs.) Commissioner's Bond.
Chas. M. Carr,

Taken and filed Nov. 1st. 09.

In the Circuit Court of the County of Shelby:

Farmers Bank of Hannibal

vs

Chas. M. Carr et al.

This cause came on this day to be finally heard upon the papers ^{upon} ~~formerly~~ read and the report of Parks P. Deane, Special Commissioner this day filed ~~by leave~~ ^{and to which} ~~of court~~ ^{has been} no exceptions ~~being~~ ^{taken} ~~there~~ and was argued by counsel -

It appearing from said report that the balance of funds in hand, \$41⁷⁰ had been paid to the Shelby, Starker and Camps Company, the court doth confirm the said report. It further appearing that there is nothing further to be ^{done} ~~transacted~~ in this cause, ^{it is} ~~the court doth~~ ordered that the same be stricken from the ~~docket~~.

Turner Bank of Massachusetts

15

Charles M. Carter et al

Deer

Enter this

1911

Jan 9

Enter this

B.D.C.

C.D.B. 7-1956

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

Farmers Bank of Nansemond

Complainant

v.

Chas. M. Carr and others

Defendants.

This cause came on this day to be again heard on the papers formerly read, and on the report of Special Commissioner, Parke P. Deans, this day filed by leave of Court, to which report there are no exceptions and was argued by counsel.

And it appearing to the Court from said report that ~~the~~ said Special Commissioner, Parke P. Deans has collected and disbursed the following funds:

Purchase price of Tract No. 3, L. M. Roberts	20.00
Purchase price of Tract No. 1, J. J. Rhodes	104.06
Commissions as Special Commissioner	6.20
Court Cost	33.84
Crier at Sale	5.00
Taxes 1909	5.08
Taxes 1910	1.16
Notices of Sale	1.75
Bond	13.33
Bond	5.00
Preparing deeds and notary fees	11.00
<i>By balance in hand</i>	<u>124.06</u> ~~124.06~~

as heretofore directed ~~on the 15th day of October, 1909~~, leaving a balance of \$41.70, to the credit of this cause; that he has conveyed to L. M. Roberts and J. J. Rhodes, the tracts of land known as "Tract No. 3," and "Tract No. 1," respectively,

On consideration whereof, the Court doth approve and confirm the said report; and it further appearing to the Court that the lien of Wiley, Harker Camp Company is prior to the other liens in the proceedings mentioned; it is ordered that the Special Commissioner do pay to Wiley, Harker Camp Company the sum of \$41.70 the balance in his hands, which shall be a credit on their lien, and he shall report to the Court.

15
Farmers Bank of Nauset

15, Secre
Chas. M. Carr et als

To be entered -

1910

Dec. 5.

Enter this
B. D. W.

Co. B. 7 Page 51

In the Circuit Court of Isle of Wight County, Virginia.
Farmers Bank of Nansemond, Plaintiff.
vs. IN CHANCERY,
Chas. M. Carr et als. Defendants.

This cause came on this day to be again heard on the papers formerly read, and on the report of Parke P. Deans, Special Commissioner, this day filed by leave of court, of the sale made by him of the real estate of Chas. M. Carr in these proceedings mentioned, to which report there is no exception, and was argued by counsel.

And it appearing to the court from the said report, and ~~the~~ the affidavits therewith filed, that the sum bid by J. J. Rhodes of \$101.00, for tract number one, and the bid of L. M. Roberts of \$20.00, for tract number three, are good and sufficient prices for said tracts, that said special commissioner advertised said property and exposed the same for sale twice, and now ^{he} commends that said sums be accepted for said tracts respectively:

On consideration whereof the Court doth approve and confirm the said report and the said sales.

And it further appearing that L. M. Roberts has paid \$20.00 in full payment of the purchase price for said land, the Court doth order and decree that Parke P. Deans, Special Commissioner convey to him, the said L. M. Roberts, by deed with Special Warranty, the real estate, known as tract number three, ^{the} the bill and proceedings mentioned, viz:

All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr, Chas M. Carr, and others. It being a tract of all woodland formerly a portion of the Merritt Hall Tract.

And it further appearing to the Court, that J. J. Rhodes has paid the sum of thirty-four dollars, the cash ^{payment for tract number one} ~~proceedings of sale~~, and executed two bonds ~~of the said J. J. Rhodes, for tract number one~~ in the bill and proceedings mentioned and delivered the same to the said Commissioner, payable respectively in six and twelve months, from the 4th day of September, 1909, the Court doth adjudge, order and decree that

the said Commissioner, Parke P. Deans, do deposit the said sums of twenty dollars and thirty-four dollars ^{as heretofore directed} ~~in the Bank of Windsor~~ to the credit of the Court in this cause, and file a certificate of such deposit in these papers; and said Commissioner is directed to check on said funds for the ^{and for any taxes that may be due,} cost of this suit, and is directed to collect the bonds of the said

J. J. Rhodes for the credit installments and deposit the amount of his collections as they are respectively made, in said Bank to the credit of the Court in this cause, and file certificates of such deposit in these papers; and when the said credit installments are paid and deposited as aforesaid, ~~it is further adjudged, ordered and decreed that the said~~ ^{shall} Parke P. Deans, Commissioner convey to J. J. Rhodes, by deed with Special Warranty, all the real estate known as tract number one, in the bill and proceedings mentioned, viz:

All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and other,

And said commissioner is directed to report his proceedings hereunder. And it appearing to the Court that the bond of said Commissioner is in ^{the} penalty of ~~\$2000.00~~ ^{\$3000.00}, and that the premium on the same is \$16.66 per year, on consideration whereof the Court doth direct the said Commissioner not to renew said bond upon the expiration of the first year, but to execute a new bond in the penalty of \$150.00 conditioned for the faithful execution of his duties under this or any future decrees of this court in this cause.

12

Farmers Bank of Nansemond

vs.

Chas. M. Carr et als.

DECREE

1909
Oct. 15.

ENTER THIS

B. D. W.

C. O. B. # 65-634

*¹ after having advertised the time, place and terms of sale for at least fifteen days by hand bills duly posted at ten or more public places in this county;

And it appearing to the Court from said report that ~~one~~ the tract known as the John L. Marshall homestead, was sold by J. Peter Holland, Trustee under a deed of trust which was a prior lien to the judgment which is the subject of this suit;

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

Farmers Bank of Nansemond.

vs.

Chas. M. Carr and others.

This cause came on this day to be again heard on the papers formerly read and upon the report of Parke P. Deans, Special Commissioner,^{*} and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that Parke P. Deans, who has heretofore been appointed a special commissioner for the purpose, shall^{*1} proceed to sell at public auction at the front door of the Court House of this County, or in front of the Post Office at Windsor, Virginia, or on the premises, as in the judgment of the said commissioner seems best, the two tract of land as follows:

Tract No. 1 All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Geo. I. Beaton, M. H. Johnson, J. R. Turner's Estate, O. E. Saunders and others.

Tract No. 3. All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr J. T. Carr, Chas. M. Carr and others,

upon the following terms, ^{set forth in the decree entered herein on the 9th day of October 1908.} ~~to wit, one third, cash, and the balance in two equal installments payable respectively in six and twelve months from the date of sale, the installments carrying interest from the date of sale, and the purchaser, or purchasers, executing bonds for said deferred payments, payable at said respective dates, and the title to the property to be retained until the whole purchase money is paid on a conveyance directed by the court, or the purchaser may pay the entire purchase money in cash and the said commissioner is directed to deposit the money so received in the Farmers Bank of Nansemond, in Suffolk, Vir-~~

ginia, to the credit of the court in the suit, and to report his proceedings hereunder, returning therewith a certificate of such deposit, and the bonds, if any, given for the credit installments.

10

Farmers Bank of Hannuon

10

Secur

Chas. M. Larr et als

To be entered

C.O.B. # 6 p. 617

1909

June 10

Enter this

19 D.W.

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

Farmers Bank of Nansemond

vs.

Charles M. Carr and Others.

This cause came on this day to be again heard on the papers formerly read and upon the report of Parke P. Deans, special commissioner, and was argued by counsel.

On consideration whereof, it appearing that the amounts bid for the real estate of Chas. M. Carr, heretofore directed to be sold was great deal less than the true simple value reported by A. S. Johnson Commissioner in Chancery, the court doth refuse to confirm the sales of the three tracts of land, mentioned in the bill and proceedings and bounded as follows, to-wit:

Tract No. 1. All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others,

Tract No. 2. All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, State of Virginia, containing 137 acres, more or less, and adjoining the lands of John H. Beaton, Carr Munford, J. T. Carr and others. It being a portion of the John L. Marshall homestead.

Tract No. 3. All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr and others,

And doth adjudge, order and decree that Parke P. Deans who has heretofore been appointed a special commissioner for the purpose, shall another time ^{sell,} after having advertised the

time, place and terms of sale in the matter upon the terms
set forth in the decree entered herewith on the 9th day of
October, 1908.

8

Farmers Bank of Massachusetts

12. } Decree

Chas M. Carr et al.

To be entered.

1909.

Jan 4.
Enter this.
B.L.W.

CO13. No 6 p 596

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

FARMERS BANK OF NANSEMOND

vs.

CHARLES M. CARR AND OTHERS.

This cause came on this day to be again heard on the papers formerly read and upon the report of Commissioner A. S. Johnson, filed since the last hearing, to which report there is no exception,^{*} and was argued by counsel.

On consideration whereof, the court doth ratify, approve and confirm the said report; and it appearing to the court from said report, that the rents and profits of the lands of Charles M. Carr will not, in five years, satisfy the liens reported against him, and that the lien holders are entitled to enforce their liens by a sale of the property of the said Charles M. Carr, the court doth adjudge, order and decree that Parke P. Deans, who is hereby appointed a special commissioner for that purpose, shall, after having advertised the time, place and terms of sale once a week for four successive weeks in the "Suffolk Herald", a news-paper published in Suffolk, Virginia, and also by hand bills duly posted in ^{five} ~~one~~ or more public places in this County, proceed to sell at public auction at the front door of the Court House of this County or on the premises, as in the judgment of the said commissioner may ^{seem} ~~be deemed~~ best, the several tracts of land of the said Charles M. Carr in the bill and proceedings mentioned, in one or more parcels, as to the said commissioner shall seem fit, upon the following terms, to-wit: one ^{third} ~~half~~ cash and the residue in two equal installments, payable respectively in six and twelve months ^{and six} from the date of sale, the installments carrying interest from the date of sale, and the purchaser, or purchasers, executing bonds therefor, payable at said respective dates, and the

Answer for the petition of Henry Harker, Carr & Company, by Counsel, J. H. Wood and Son, H. J. Dikeman and Company, Eastern Bell Telephone and Telegraph Company, W. B. Anguish and Company, Wm. Brown and Company, and James R. Remond, Administrator by Counsel.

title to the property ^{the} retained until the whole purchase money is paid and a conveyance directed by the court; and the said commissioner is directed to deposit the cash installment in the Farmers Bank of Wansmond, in Suffolk, Virginia, to the credit of the court in this suit and to report his proceedings hereunder ~~to the court~~, returning therewith a certificate of such deposit, and the bonds given for the credit installments.

And it further appearing to the court that ^{the} ~~your~~ complainant has, by virtue of its judgment, a lien on the lands of M. H. Carr, one of the defendants in this cause, and that the rents and profits thereof will in five years more than pay the said judgment lien, and it being suggested to the court that ^{the} ~~your~~ complainant should proceed to enforce his lien against the lands of the said M. H. Carr, the court doth further adjudge, order and decree that the said Parke P. Deans, who is hereby appointed a special commissioner for that purpose, shall proceed, either at public auction or privately, as in his judgment may be deemed best, to rent out for a cash rental the lands of the said M. H. Carr from year to year until the said rents shall satisfy the lien of ~~your~~ said complainant; and the said commissioner is directed to make a report to court of his proceedings hereunder.

But before the said commissioner shall proceed to execute this decree or to advertise or rent said lands, he shall enter into bond with sufficient security in the Clerk's Office of this County, payable to the Commonwealth of Virginia, in the penalty of Three Thousand Dollars, and conditioned for the faithful discharge of his duties hereunder, *on any further decree that may be entered herein.*

5
James B. of David
vs } Deceit.
Cm. Carothers

Dec 9th 1908

To be entered.

J. H. N.

C. B. No 6 b. 382

Cash	508
Legal fee	150
Com	7.50
Left	390

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

THE FARMERS BANK OF NANSEMOND

vs

CHARLES M. CARR AND OTHERS.

This cause came on this day to be heard upon the bill taken for confessed as to the adult defendants, on whom process has been duly served, they still failing to appear and plead, answer or demur to the said bill, and on the exhibits filed, and was argued by counsel.

On Consideration Whereof, the Court doth adjudge, order and decree that the papers in this cause be referred to one of the commissioners of this Court, who is directed to inquire into and report to the Court,

1st. An account of the several tracts of land owned by the defendants, together with their fee-simple and annual values.

2nd. Whether or not the rents of the real property in the bill mentioned, if applied to the payment of the said judgment, would satisfy the same in five years.

3rd. An account of all liens against the property of said defendants, together with their respective priorities, and especially an account of the lien of your complainant.

4th. An account of all unpaid or delinquent taxes on said property.

Which several inquiries the said commissioner shall make and report to the Court, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

and whether the proper parties to this cause are properly before the court.

³
James B. of New York
27 Decm for account
Chas M. Can rather

C.O. B. No. 6, p. 556.

To be entered.

1908
June 1
Entered this
P.D.W.

SUFFOLK, VA. *December 14* 19*80*

No. *9*

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

S. J. Guiney

Ernest

\$*5⁰⁰*

Five and 00/100
sale of 2 tracts of land

DOLLARS



Per Mr. Deane Sec. Cash.
Trusted Bank of Nansemond as per McLean et al.

SUFFOLK, VA.

See / 50

1900

No.

8

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

\$ *11.00*

DOLLARS

Eleven and 00/100
Preparing seeds to L. M. Roberts & J. J. Rhoads



Mark S. Deans Spl. Comm?
Farmers Bank of Nansmond vs. Chas. M. Carr et al

Wm. H. Hume

PAYEYERS BANK OF NANSERWON.
SOUTH VA. BRANCH.
ALL BANKS PAYABLE TO ORDER.
BANK OF WINDSOR,
WINDSOR VA.
P. T. LEVINE, Chairman.

SUFFOLK, VA., *Dec 1st* 19*60*

No. *7*

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

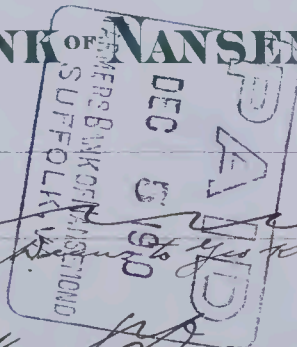
Merke Deans

\$ *13*^{*33*}/_{*100*}

Merke Deans ^{*33*}/_{*100*}

DOLLARS

Premium on original sum paid by Deans to Yes Kneeling



Merke Deans Spe Bern
Farmers Bank of Nansemond vs Lehigh M. Carr et al

Mark P. Denny

BY DEPOSIT TO THE BANK OF WINDSOR

2000.00

FOR THE PURPOSE OF

BANK OF WINDSOR,

WINDSOR, VA.

F. T. LEATHERS, Cashier.

SUFFOLK, VA. *Dec 1st*

1900

No. 6

THE FARMERS BANK OF NANSEMOND

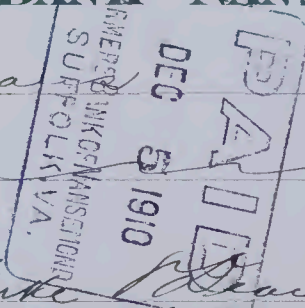
PAY TO THE
ORDER OF

Perkins, Stea

\$ *20*

20
100
commissions

DOLLARS



Perkins Stea Spe Comm
Farmers Bank of Nansemond vs Chas. M. Lee et al

Mertie & Henry

PAY FARMERS PARK OF WANSBORO,

ADVISOR, TO THE

AT THE

EAST OF WINDSOR,

WINDSOR VA.

F. T. LEATHERS, Cashier.

SUFFOLK, VA.. November 30th 1910

No. 5

THE FARMERS BANK OF NANSEMOND

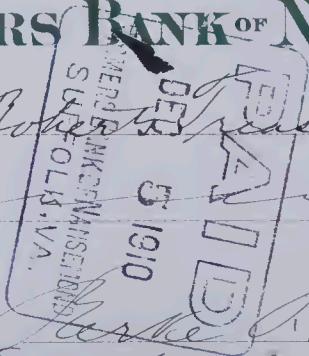
PAY TO THE
ORDER OF

B. L. Roberts Treasurer

\$1¹⁶/₁₀₀

One hundred ¹⁶/₁₀₀
Dollars

DOLLARS



Wm. H. Deane Treas
Farmers Bank of Nansmond vs Elias W. Carr & Co

B. L. Roberts' Treas.

SUFFOLK, VA.. November 29th 1900

No. 4

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

A. S. Johnson Clerk

\$33⁸⁴

Twenty three and 84/100
Count Cost in Farmers Bk 15 Chas. W. Carr et al's

DOLLARS

Chas. W. Carr et al's
Farmers Bank of Nansmond 15 Chas. W. Carr et al's

Johnson

PAY ANY BANK OR BANKER;
THE BANK OF SMITHFIELD
SMITHFIELD, VA.
JOHN L. COFER, Cashier.

SUFFOLK, VA., May 7th 1900

No.

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

Geo. K. Nelson

\$5⁰⁰/₁₀₀

Five and 00/100
Bonds of Spl. Com.

DOLLARS

James K. Nelson Spl. Com.
Farmers Bank Nansmond 11 Ches. M. Carr.

Geo. H. Nelson,

THE BANK OF THE
STATE OF NEW YORK
AND
TRUST COMPANY OF NEW YORK
AND
TRUST COMPANY OF NEW YORK

SUFFOLK, VA., *January 10th* 19*10*

No. *2*

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

Suffolk Herald Corporation

75
\$ *1*/*100*

One and *75*/*100*

Cent

DOLLARS

Peruke J. Deans Spe. Com.
Farmer Bank Nansmond vs C M Carr et al

PAY TO THE ORDER OF
THE FARMERS' BANK OF NANSEMUND
SUFFOLK, VA.
The Suffolk Herald Corp. 1/10/1914

SUFFOLK, VA., *December 20th* 1909

No. */*

THE FARMERS BANK OF NANSEMOND

PAY TO THE
ORDER OF

B. L. Roberts Treas.

Five and $\frac{08}{100}$
Tax of C M Carr

\$ $\frac{5.08}{100}$

JAN 21 1910

DOLLARS



Perkins Adams & Co. Cash
Farmers Bank of Nansmond vs. C. M. Carr & Co.

FARMERS BANK OF NANSEMOND.

SUFFOLK, VA.,

Dec 7 1910

Mr Parks P. Sears, Special Agent
SUFFOLK, VA.,
We hand you herewith (Pass-book)

We hand you herewith $\left\{ \begin{array}{l} \text{Pass-book} \\ \text{Statement} \end{array} \right\}$

of your account written up to and including

Dec 7 1910

Please examine, and if found correct, sign and return this acknowledgement. If any errors are found note the same on the reverse of this sheet and return at once. Yours truly, WM. H. JONES, Jr., Cashier

Yours truly,

WM. H. JONES, Jr., Cashier.

By.....Book-keeper

191

TO THE FARMERS BANK OF NANSEMOND, SUFFOLK, VA.

Your statement of my account up to and including

Dec 7

191 

showing balance

to my credit on that date \$ 4170, is received, examined and found correct, with exceptions noted on reverse of this sheet.

Signature

A Prompt Report on this Statement of Account is Requested Please State Differences. If not Advised to the Contrary within Twenty Days after Receipt, we will Understand that you Acknowledge this Statement to be Correct.

Carke P. Allman, Special account

IN ACCOUNT WITH

FARMERS BANK OF NANSEMOND, Suffolk, Va.

Dec 7

1900

VOUCHERS

DATE
1900

DEPOSITS

Balance,

*Dec 17
Nov 29*

*70 50
53 56*

Total Credits,

Total Debits,

Balance

*124 06
82 36
41 70*

Vouchers returned as per above list

October 15th 1910

Received from Perke F. Deane, Spe Com^r
Farmer, Bk of Mass - 5 Cents per
Share $\frac{20}{100}$ Dollars

Commissions as Spe Com^r

\$ $\frac{20}{100}$

Perke F. Deane,

October 15th 1910

Received from Mr. & Mrs. J. H. Jones, Spe. Comm. in
Farmers Bk of N. C. Can. & Co.
Thirty three and $\frac{84}{100}$ Dollars

Count Cash

\$33 $\frac{84}{100}$

STATEMENT.
IN CASE OF ERROR, RETURN THIS BILL FOR CORRECTION.

190

M *Marble Deane Spe Comr*
Farmer 154 07 Han 15 Carr et als
To *S Gaimy* **Dr.**

Terms No. St.

*Selling 2 Tracts of
Land 500*

Paid

10/15/0

S Gaimy

HARDY DISTRICT

No. _____

M. Chas. M. Carr

Dr.

1909.

To B. L. ROBERTS, Treasurer of Isle of Wight County, Va.

STATE TAXES.

No. _____	State Tax Support Gov. 20c. on \$100. R. E. and P. P. Schedule B	State Tax Support Gov. 25c. on \$100 P. P. Sched C	State School Tax 10c. on \$100. R. E. & P. P. Sched. B. & C	State Tax for Pensioners 5c. on \$100. R. E. & P. P. Schedule B	County Levy, 27½c. on \$100	General County School Tax 15c. on \$100	Poor Tax 7½c. on \$100	General County Road Tax 2½c. on \$100	District Road Tax 10c. on \$100	District School Tax 15c. on \$100	TOTAL TAX
To <u>30</u> acres, value \$ <u>202</u>	<u>40</u>		<u>20</u>	<u>10</u>	<u>56</u>	<u>30</u>	<u>16</u>	<u>6</u>	<u>20</u>	<u>30</u>	<u>2 26</u>
To <u>25</u> acres, value \$ <u>125</u>	<u>25</u>		<u>12</u>	<u>6</u>	<u>34</u>	<u>19</u>	<u>10</u>	<u>3</u>	<u>13</u>	<u>19</u>	<u>1 41</u>
To <u>25</u> (1908) acres, value \$ <u>125</u>	<u>25</u>		<u>12</u>	<u>6</u>	<u>34</u>	<u>19</u>	<u>10</u>	<u>3</u>	<u>13</u>	<u>19</u>	<u>1 41</u>
To _____ acres, value \$ _____											
Personal Property, Sched. B, val. \$ _____											
Personal Property, Sched. C, val. \$ _____											
Value, . . . \$ _____											
Income, 1 per cent. _____											
Capitation _____ <u>1.50</u>											
Total _____											<u>1 50</u>
5 per cent. penalty added Dec. 1, 1909 _____											<u>5 08</u>
Total _____											
Interest after June 15, from Dec. 15, 1909, 6 per cent. _____											

PAID
NOV 30 1909
B. L. ROBERTS,
Treas. of Isle of Wight County
P.

Received payment _____ day of _____ 19 _____

Treasurer

Per _____

HARDY DISTRICT

Mr. Park, Pleasant P. S. C. Farmers Bank of Hardy vs C. M. Carr.No. 259

1910

To B. L. ROBERTS, Treasurer of Isle of Wight County, Va.

No. <u>259</u>	STATE TAXES.					County Levy	General County School Tax 15c on \$100	Poor Tax 7 1-2c on \$100	General County Road Tax 2 1-2 on \$100	District Road Tax 10c. on \$100	District School Tax 20c on \$100	TOTAL TAX
	State Tax Support Gov. 20c on \$100 R. E. and P. P. Schedule B	State Tax Support Gov. 25c on \$100 P. P. Sched C	State School Tax 10c on \$100 R. E. & P. P. Sched. B. & C	State Tax for Pensions 5c on \$100 R. E. & P. P. Schedule B								
To _____ acres, value \$												
To _____ acres, value \$												
To _____ acres, value \$												
To _____ acres, value \$												
Personal property, sched. B. val. \$												
Personal property, sched. C. val. \$ <u>100</u>		<u>25</u>	<u>10</u>		<u>27</u>	<u>15</u>	<u>7</u>	<u>2</u>	<u>20</u>	<u>10</u>	<u>116</u>	
Value, - - - \$												
Income, 1 per cent												
Capitation <u>1.50</u>												
Total <u>100</u>		<u>25</u>	<u>10</u>		<u>27</u>	<u>15</u>	<u>7</u>	<u>2</u>	<u>20</u>	<u>10</u>	<u>116</u>	
5 per cent, penalty added Dec. 1, 1910												
Total												

Received payment _____ day of _____ 191_____

Treasurer.

Per _____

Geo. H. Nelson,

Pay Farmers Bank of Vansomond
SUFFOLK VA. or Order
THE BANK of SMITHFIELD, VA.
A. S. BARRETT CASHIER,

W. J. KENDRICK, President and Editor
J. C. Holladay, Secretary and Treasurer.

Suffolk, Va., Oct 1 1909

M. P. Deane Trustee

TO SUFFOLK HERALD CORPORATION, Dr.
NEWSPAPER AND JOB PRINTING

No. 912 Washington Street.

TERMS OF THIS BILL—NET CASH

Both Phones

Sept 15 100 Bills L. M. Carr.

175

PAID

Jan 10/10

THE SUFFOLK HERALD CORPORATION

By

Cash

Folio.....
Terms--Cash.

Smithfield, Va., May 7th 1910

Mr. Parker P. Dean, Off. Loan, Farmers Bank of Hansemond & S.,
Delaware, Mo.,
Windsor, Va.

THE WEST & WITHERS, Inc., Dr.

GEO. K. NELMS, Sec'y & Treas.

Fire, Life, Marine, Accident, Health, Employers' Liability
AND STEAM BOILER INSURANCE AND SURETY BONDS.

P. O. Box 394.

No. 1, OVER MERCHANTS & FARMERS BANK.

Both Phones

Date	Policy No.	Company	Property Insured	Amount	Premium
11/9/09	1338	Va. Safe Dep't. & Tr. Co.	Band	\$500	5.00
Recd. fragment.					
Geo. K. Nelms,					

October 15th 1910

Received from Parke & Beane Spe Co.
Eleven and 50/100 ————— Dollars

Copying Sums & notary fees to L. M. Roberts & J. J. Rhoads
\$11.00 —————
Parke & Beane,

In the Circuit Court of Isle of Wight County, Virginia:
Farmers Bank of Nansemond,
v.
Chas. M. Carr et als.

To the Judge of the said Court:

The undersigned, Special Commissioner in the cause of Farmers Bank fo Nansemond, Complainant, and Chas. M. Carr and others, defendants, would report that since the decree entered on the 15th day of October 1909 directing me as Special Commissioner to collect the purchase price of the tracts of land, whose sales were confirmed by the said decree and to make deeds and deliver the same to L. M. Roberts and J. J. Rhodes, the purchasers at sale. He was also directed to execute a new bond in the penalty of \$150.00 upon the expiration of the original bond given; he has acted in accordance with the said decree entered on the 15th day of October, 1909 and herewith file report of collections and disbursements as follows:

Purchase price of Tract No. 3. paid 12/1/09 by L. M. Roberts	20.00
Purchase price of Tract No.1, paid by J. J. Rhodes as follows:	
12/1/09	50.50
3/4/10	18.58
9/4/10	34.98
Commissions as Special Com'r.	6.20
Court Cost	33.84
Crier at Sale(S. Gainey)	5.00
Taxes 1909	5.08
• Taxes 1910	1.16
Notices of Sale(Suffolk Herald)	1.75
Bond(Geo. K. Nelms)	13.33
Bond(Geo. K. Nelms)	5.00
Preparing deed and notary fee to L. M. Roberts	5.50
Preparing deed and notary fee to J. J. Rhodes	5.50
Balance deposited in Bank	41.70
	124.06
	124.06

The Court will see from the above statement that there is on deposit in the Farmers Bank of Nansemond, \$41.70, which should belong to Wiley, Harker Camp Company, as their judgment is prior to any other lien. Your Special Commissioner asks the Court to direct how the funds now in hand are to be paid.

Respectfully submitted,

W. H. W. W. W.
Special Commissioner

Farmer's Bank of Nauvoo

vs.

Chas. M. Carr

Report of Spl. Commissioner,

1910

Dec. 5. Min. BSW

400

THE FARMERS BANK OF NANSEMOND

SUFFOLK, VA.

IN ACCOUNT WITH

James P. Dean & Son
Commission Merchants
100 Broad St. N. C.

The Farmers Bank of Nansemond
SUFFOLK, VA.

Dr.

1904

In account with

Dec 17 apx

\$70.50

Para R. N. Jones, Esq
Comr. First Bank of
Nansemond VA
Chas M. Carr Cr.

**REMAINING
PAGES IN
VOLUME ARE
BLANK AND
HAVE NOT
BEEN
REFORMATTED**

No. 1226

WILLIAM MANN CO.

No. 529 MARKET STREET,

PHILADELPHIA.



Rec'd R. E. L. Watkins, atty - \$41⁷⁰ - part payment of
Judgement of W. H. T. Co vs Chas M. Can as per decree of Dec 5-1910
Wiley Hunkert Camp Co
By R. E. Camp

Jan 4th - 1910

Farmers Bank of Nansensand

vs

Chas. M. Carr et als

To the Circuit Court of Isle of Wight:

Your Special Commissioners in the proceedings of Farmers Bank of Nansensand against Chas. M. Carr and others beg leave to report that since the decree entered December 5th 1910 in accordance with the intent of said decree, has paid the amount of \$41⁷⁰ to H. L. Watkins Attorney for Wiley, Barker and Camp Co., the balance in my hands, I herewith file receipt for same.

There is nothing farther in my hands to be transacted, ask the Court to dismiss same from docket.

Respectfully submitted,

Wm. P. Deans

Sol. Commr.

Farwell Bank of Mansfield

vs

John M. Carr et al

Report of Special Commission.

E. E. HOLLAND, President.
G. W. TRUITT, Vice-President.

WILLIAM H. JONES, Jr., Cashier
WILLIAM BRIGGS, Asst. Cashier.

THE FARMERS BANK OF NANSEMOND.

SUFFOLK, VA., Nov. 29, 1910. 191

Mr. Parke P. Deans,
Special Commissioner Farmers Bank of Nansemond,
against Chas. M. Carr,

We Credit Your Account

Windsor, Va.

Your Letter

Deposit- check Windsor-		\$53.56	29th

Items payable out of town, whether credited upon receipt or not, are received and collected only at the risk of the depositor. We are not responsible for losses in mail and do not guarantee the banks to which we send such items, and in collecting them this bank acts only as your agent and the responsibility for such must remain with the depositor until the bank has received final actual payment of check sent us in return for same.

WILLIAM H. JONES, Jr., Cashier.

Commissioner's Sale

—OF—

Real Estate

By virtue of a decree made by the Circuit Court of Isle of Wight County on the 9th day of October, 1908, in the chancery cause of Farmers Bank of Nansemond complainants, versus C. M. Carr and others, defendants pending in said Court. I shall as a Special Commissioner appointed thereby, proceed to sell at public auction to the highest bidder, at the Court House door in Isle of Wight County, Virginia on

MONDAY, DECEMBER 7, 1908

at 1 o'clock P. M.

the following described property:

Tract No. 1. All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others.

This tract is all wood land and has a quantity of pine timber and cord wood and situated near a rail road siding.

Tract No. 2. All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, State of Virginia, containing 137 acres, more or less and adjoining the lands of John H. Beaton, Carr Munford, J. T. Carr and others. It being a portion of the John L. Marshall homestead.

It has nearly sixty acres of arable land, well adapted for crops grown in that section.

Tract No. 3. All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr, and others. It being a tract of all wood land formerly a portion of the Merritt Hall Tract. It has a large quantity of cord wood and is very near the Norfolk and Western Railroad

Terms of Sale:—One-third cash and the residue in two equal installments, payable respectively in six and twelve months from the date of sale, the installments carrying interest from the date of sale, and the purchaser or purchasers, executing bonds therefor payable at said respective dates, and the title to the property to be retained until the whole purchase money is paid and a conveyance directed by the Court.

PARKE P. DEANS,
SPECIAL COMMISSIONER.

I, A. S. Johnson, clerk of the Circuit Court of Isle of Wight County, Virginia, do certify that the bond executed by Parke P. Deans, Special Commissioner under the decree of Court made on the 9th day of October, 1908, in the Chancery Cause pending in said Court wherein Farmers Bank of Nansemond, is complainant and Chas. M. Carr, and others are defendants, has been executed with security deemed sufficient by me.

Given under my hand this 9th day of November, 1908.

Teste:

A. S. JOHNSON,
Clerk of the Court of Isle of Wight County.

The undersigned in pursuance of decrees in the Circuit Court of the County of Isle of Wight, entered on the 9th day of October, 1908 and the 10th day of June, 1909, in a cause in chancery in the said court depending, between the Farmers Bank of Nansemond, Complainants, Chas. M. Carr and others, defendants, the necessary bond having been executed as named in the decrees, offered for sale in front of the Post Office in Windsor, Virginia, on Saturday, September the 4th, 1909, at 1 o'clock, P. M., the real estate of Chas M. Carr, a copy of the notice of sale is herewith filed and marked "Exhibit 1".

I beg to report that the tract No. 1 described as follows: all that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others; was bid off by J. J. Rhodes at \$101.00.

Tract No. 3, described as follows: all that certain parcel of land, situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr and others; was bid off by L. M. Roberts at \$20.00.

The total amount of sale is \$121.00.

The Commissioner used his best efforts to get a crowd at the sale. The citizens of the community in which the land was situated were well represented, and bid on the property. These two tracts of land are not very well situated.

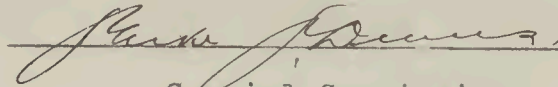
I have certified check for one-third of the purchase price and wait your instructions in this matter. *and bond for balance on Tract No 1 and check for entire amount for Tract No 3* Mr. J. T.

Carr, brother of Chas. M. Carr has placed in my hands a certified check of \$8.33. He desires to make an upset bid of \$25.00 on tract No. 3. He was present at the sale but made no bid upon the property.

Your Commissioner herewith file affidavit of Irvin Jenkins and R. R. Rose, stating that they know property and consider the sale a good one.

Under the circumstances, I recommend that sale be confirmed.

Respectfully submitted,



Special Commissioner.

Farmers Bank of Nansemond,

vs.

Affidavit.

Chas. M. Carr et als.

R. R. Rose, being duly sworn, says that he is acquainted with the two tracts of land sold by Parke P. Deans, Special Commissioner, and he believes that \$101.00 is a good price for tract No. 1:

All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others.

And \$20.00 for tract No. 3:

All that certain parcel of land, situated in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr, and others. It being a tract of all woodland formerly a portion of the Merritt Hall Tract.

The sale was well advertised and it was attended by the citizens living near the two tracts.

R. R. Rose,

Taken, sworn to and subscribed to, before me, this 14th day of October, 1909.

My term of office expires the 3rd day of August, 1912.

Clifford E. Saunders,

Notary Public for Isle of Wight County, Virginia

Farmers Bank of Nansemond,

vs.

Affidavit.

Chas. M. Carr, et als.

Irvin Jenkins, being duly sworn, says that he is acquainted with the two tracts of land sold by Parke P. Deans, Special Commissioner, and he believes that \$101.00 is a good price for tract No. 1:

All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Goe. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others,

And \$20.00 for tract No. 3:

All that certain parcel of land, situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less, and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr, and others. It being a tract of all woodland formerly a portion of the Merritt Hall Tract.

The sale was well advertised and it was attended by the citizens living near the two tracts.

Witness by
Parke P. Deans,

Irvin X Jenkins,
sworn

Taken, sworn to and subscribed to, before me, this 16th day of October, 1909.

My term of office expires the 3rd, day of August, 1912.

Clifford E. Saunders,
Notary Public for Isle of Wight County, Virginia.

Commissioner's Sale of Real Estate.

By virtue of decrees made by the Circuit Court of Isle of Wight County on the 9th day of October, 1908, and the 10th day of June, 1909, in the chancery cause of Farmers Bank of Nansemond complainants, versus C. M. Carr and others, defendants pending in said Court, I shall as a Special Commissioner appointed thereby, proceed to sell at public auction to the highest bidder, in front of the Post Office in Windsor, Virginia, on

SATURDAY, SEPTEMBER 4th, 1909,
AT 1 O'CLOCK, P. M.,

the following described property:

Tract No. 1. All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others.

This tract is all wood land and has a quantity of pine timber and cord wood and situated near a rail road siding.

Tract No. 3. All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr, and others. It being a tract of all wood land formerly a portion of the Merritt Hall Tract. It has a large quantity of cord wood and is very near the Norfolk and Western Railroad.

Terms of Sale: One-third cash and the residue in two equal installments, payable respectively in six and twelve months from the date of sale, and the purchaser or purchasers, executing bonds therefor payable at said respective dates, and the title to the property to be retained until the whole purchase money is paid and a conveyance directed by the Court.

PARKE P. DEANS,
Special Commissioner.

I, A. S. Johnson, Clerk of the Circuit Court of Isle of Wight County, Virginia, do certify that the bond executed by Parke P. Deans, Special Commissioner under the decree of Court made on the 9th day of October, 1908, in the Chancery Cause pending in said court wherein Farmers Bank of Nansemond, is complainant and Chas. M. Carr, and others are defendants, has been executed with security deemed sufficient by me.

Given under my hand this 9th day of November, 1908.

Teste: A. S. JOHNSON, Clerk.

11
Farmers Bank of Hanscombed

1st

Chas. H. Carr et als

Report of Special Commissioner.

1909

Oct. 15.

Filed J. H. W.

The undersigned, Special Commissioner in the cause of Farmers Bank of Hansemond, complainant, and Chas. M. Carr and others, defendants, would report that since the decree entered on the 4th day of January, 1909, directing me as Special Commissioner to sell the three tracts of land mentioned in the decree of that date, that J. Peter Holland, trustee under a deed of trust recorded in Deed Book 70, page 528, to secure a bond payable to W. S. Holland, committee of I. W. Duck, sold the tract of land known as TRACT NO. 2, and described as follows:

All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, State of Virginia, containing 137 acres, more or less, and adjoining the lands of John H. Beaton, Carr Munford, J. T. Carr and others. It being a portion of the John L. Marshall homestead.

which said deed of trust was a lien in time prior to the judgments to be enforced under the proceedings.

Your Commissioner would further report that it appears that said trustee was not a party to this cause and since the entry of said decree the said trustee has advertised and sold the said property; and would also report that under the circumstances as existing at the time the property sold for as much as could have been obtained at any sale. The trustee had difficulty in procuring a purchaser and it was it had to be sold the second time and then at this sale the highest bid was only sufficient to pay the cost of sale and the indebtedness under said deed of trust.

Respectfully submitted,

Samuel A. Deane
Special Commissioner.

9

Farmers Bank of Hannam

15.

Chas McLean et al

Report of Special Commission

1909

June 10

Filed B.D.W.

The undersigned , in pursuance of a decree of the Circuit Court for the County of Isle of Wight, entered on the 9th day of October, 1908, in a cause in chancery in the said court, depending between Farmers Bank of Nansemond complainant, Chas. M. Carr and others defendants, after execution the necessary bond named in said decree, offered for sale in front of the Court House on the 4th day of December, 1908, at 1 o'clock P. M. the real estate of Chas. M. Carr---a copy of the notice of sale is herewith filed and marked Exhibit 1.

I beg to report that the tract No. 1 described as follows: All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, Virginia, containing thirty acres, more or less, and adjoining the lands of Geo. R. Beaton, N. H. Johnson, J. R. Turner's Estate, C. E. Saunders and others, was bid off by N. H. Johnson at \$90.00

And tract No. 2. described as follows: All that certain tract of land situate in Hardy Magisterial District in the County of Isle of Wight, State of Virginia, containing 137 acres, more or less, and adjoining the lands of John H. Beaton, Carr Munford J. T. Carr and others. It being a portion of the John L. Marshall homestead, was bid off by W. W. Gray at \$605.00

And tract No. 3 described as follows: All that certain parcel of land situate in Hardy Magisterial District, Isle of Wight County, Virginia, containing twenty-five acres, more or less and bounded by the lands of M. H. Carr, J. T. Carr, Chas. M. Carr and others, was did off by V. W. Joyner at \$25.00

The total amount of sale is \$720.00.

Respectfully Submitted.



Special Commissioner.

7
Farmers Bank of Md.

vs {
C. M. Carr et als

Report of Special Commission.

1909,
Jan. 4.
Filed B.D.

CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

The Farmers Bank of Nansemond.

vs)

Charles M. Carr, Shirley W. Carr and W. M. Carr.

(extract of decree entered June 1st.1908.)

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

- 1st. An account of the several tracts of land owned by the defendants, together with the fee simple and annual values.
 - 2nd. Whether or not the rents of the real property in the Bill mentioned, if applied to the payment of the said judgment, would satisfy the same in five years.
 - 3rd. An account of all liens against the property of said defendants, together with their priorities, and especially an account of the lien of your complainant.
 - 4th. An account of all unpaid or delinquent taxes on said property.
- Which several inquiries the said commissioner shall make and report to Court, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated, and whether the proper parties to this cause are properly before the Court.

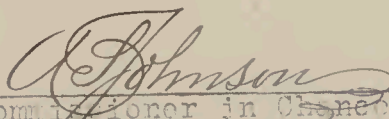
Commissioner's Office, Isle of Wight Va.

Aug. 31st.1908.

To the parties to the above suit:

Take notice that I shall, on the 14th. day of September, 1908, at my office at Isle of Wight Courthouse, State of Virginia, at eleven o'clock A.M., proceed to execute the decree of which the foregoing is an extract.

Respectfully,


Commissioner in Chancery of the
Circuit Court of the County of
Isle of Wight.

The Farmer's Bank of Warsemond

To) Chancery

Charles M. Carr et als.

Executed Sept. 3^d 1908
by delivering a true copy
of the within abstract
of decree to Henry W &
M. H. Carr in person
at their residence in
the County of Worcester
& a copy thereof for
C. M. Carr to his
wife Mrs. C. M. Carr
the said C. M. Carr
not being at home
and to Shetley W Carr in
presence of W. H. Edwards

By R. A. Edwards
S. S.
D. S.

The Commonwealth of Virginia,

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

We command you to summon C. M. Clements, R. E. Bratt and
A. H. Johnson to appear at the office of A. S. Johnson,
a Commissioner in Chancery of the Circuit Court of the County of Isle
of Wight, at Isle of Wight Courthouse, on Monday the 14th. day of
September, 1908, to testify in behalf of the plaintiff in a suit in
the said court depending wherein the Farmers Bank of Nansemond is
the plaintiff and Charles M. Carr et als. are the defendants, in the
execution of a decree entered in the said suit on the 1st. day of
June, 1908. And have then and there this writ.

Witness, A. S. Johnson, Commissioner in Chancery of the Cir-
cuit Court of the County of Isle of Wight, at the Courthouse of the
said County, this 29th day of September, 1908, and in the 133rd.
year of the Commonwealth.

Teste,

A. S. Johnson
Commissioner.

The Farmers Bank of Newsum
vs of Chancery
Chas M Carr et al

Executed Sept. 3/908
by delivering a true
copy of the writt Summs
to each of the within
Named parties in person
at their residence in
the County of San Diego

W. A. Edwards shls
By R. H. Edwards ds

THE FARMERS BANK OF NANSEMOND

VS) CHANCERY. DEPOSITIONS OF WITNESSES.

CHARLES M. CARR AND OTHERS.

The depositions of R. E. Britt et als. taken before me, A. S. Johnson, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, at my office, at Isle of Wight Courthouse, in the State of Virginia, on the 14th. day of September, 1908, beginning at eleven o'clock A.M., to be read as evidence in a certain cause in chancery in the said Circuit Court of the County of Isle of Wight pending, wherein The Farmers Bank of Nansemond is the plaintiff and Charles M. Carr and others are the defendants, taken by direction of a decree of the said court, entered in said cause on the 1st. day of June, 1908.

No counsel for either plaintiff or defendants present at the taking of these depositions.

R. E. Britt being duly sworn deposes and says:

Q. Mr. Britt, The Farmers Bank of Nansemond has recovered a judgment before the Circuit Court of the County of Isle of Wight against Charles M. Carr, Shirley W. Carr and Matthew H. Carr and the purpose of this suit is to subject the lands of the respective parties to the payment of this judgment. Are you acquainted with the lands of these parties?

A. Yes sir.

Q. Mr. C. M. Carr has listed a tract of land estimated to contain 137 acres and another tract of 30 acres of land and Mr. M. H. Carr has listed a tract of 100 acres. Tell me what these pieces of property are worth, if you can.

A. The 137 acre tract of C. M. Carr is the Marshall tract, and I think it ought to be worth some fifteen hundred dollars now. He has had every bit of the lumber cut off of it.

The thirty acres tract that he got from Beaton over there, it is a piece of huckleberry pocóssin and all the timber has been cut from it, and I think \$150 is a good price for it.

The tract of 100 acres upon which Mr. M. H. Carr lives I think is worth fully twenty five hundred dollars.

Q.----- How much will the tract of land that C. M. Carr lives on rent for per year?

A. One hundred dollars or a little more.

Q. How much will the Beaton tract of thirty acres rent for?

A. That would not rent for anything.

Q. How much will Mr. M.H.Carr's land rent for?

A. The ought to rent for one hundred and fifty dollars.

And further this deponent saith not.

Q. How old are you, Mr. Britt, and where do you live and what is your occupation, and how near the property mentioned in these depositions do you live.

A. Fifty seven years, I live in Isle of Wight County and am a farmer and live in about a mile and a quarter of Charlie Carr and all the land is within a mile and a half or two miles of me.

And further this deponent saith not.

R. E. Britt

Mr. C. M. Clements being duly sworn, deposes and says:

Q. How old are you, where do you reside and what is your occupation.

A. Forty one years, Live in Isle of Wight County and am a farmer.

Q. You have heard the questions propounded to Mr. R. E. Britt relative to the lands owned by Mr. M. H. Carr and Mr. C. M. Carr, how near do you live to all of it?

A. I live within less than a mile of some of it and within two miles of all of it.

Q. What do you think the respective tracts of land mentioned are worth?

A. The M. H. Carr tract is worth twenty five hundred dollars. It is a good price. The tract on which Charlie Carr lives, 137 acre tract, I

think is worth about fifteen hundred dollars. I would not like to put over that in it. The thirty acre tract is all in woods and all the timber has been cut off of it down to eight inches on the stump and I think five dollars an acre would be a plenty for it.

Q. How much will each of the respective tracts rent for in one year?

A. That woods piece there at Beaton's will not rent for anything for it is all in woods. Old man Carrs tract, one hundred and fifty dollars would be about all that would rent for. There is about twenty five acres of cleared land in Charlie's piece and seventy five dollars would be a plenty for that.

And further this deponent saith not.

B. M. Clement

Mr. N. H. Johnson being duly sworn deposes and says:

Q. How old are you, where do you live, what is your occupation and how near the land mentioned in these proceedings do you live?

A. I am thirty six years old, I live in Isle of Wight County, I am a farmer and live within two or two and a half miles of the property mentioned.

Q. What do you think the property of the parties mentioned here, the M. H. Carr tract of 100 acres and the 137 acre and 30 acre tract of C. K. Carr is worth?

A. I think two thousand dollars a good price for the M. H. Carr property. Charlie's place I think is worth about fifteen hundred dollars, and the pocossin tract of 30 acres, a hundred dollars is every cent is worth. It is right near me and that is every cent that I would pay for it.

Q. What would the respective tracts rent for?

A. Charlies home place, I think it ought to be worth seventy five dollars, and the old man would rent for one hundred and twenty five dollars nicely. The pocossin would rent for nothing.

And farther this deponent saith not.

N. H. Johnson

N. H. Johnson

THE FARMERS BANK OF MANSEMOND,

VS) CHANCERY

CHARLES M. CARR, SHIRLEY W. CARR AND M. H. CARR

TO THE 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, on the 14th. day of September, 1908, at his office at Isle of Wight Courthouse, at eleven o'clock A.M., in the performance and discharge of his duty as directed by a decree entered in the cause of which the above is the general style on the 1st: day of June, 1908 proceeded to execute the said decree and then and there took the depositions of R. E. Britt et als, the notice of the taking of the depositions and the service thereon, together with the said depositions are herewith filed as a part of this report, and beg leave to report as follows:

1st. That M. H. Carr is charged on the land books of the said county of Isle of Wight with a tract of land of one hundred acres and which is assessed at the sum of \$1100, but from the evidence herewith filed your commissioner is informed and so believes that the said tract of land is worth something like the sum of twenty five hundred dollars in cash and that it would rent for about the sum of one hundred and twenty five dollars per annum. This tract seems to be all the lands in this county belonging to the said M. H. Carr.

That there is charged on the said land books to Chas M. Carr (a) a tract of thirty acres assessed at \$202, which appears to be a piece of wood land from which all the timber and firewood has been cut, and, from the evidence before your commissioner is of a fee simple value of something like one hundred and fifty dollar; none of it being cleared and available for farming the annual value thereof is nothing.

(b) a tract of one hundred and thirty seven acres assessed at \$1448. This is the home place of the said C. M. Carr and its fee simple value is about fifteen hundred dollars and its annual value is about one hundred

dollars. The timber and wood has been cut from this tract.

(c) There appears to be a tract of land of some twenty five acres ~~xxxxx~~ belonging to the said C. M. Carr, which is a part of the land he bought from the heirs of Meritt Hall, which is not on the land books of said county, and of which your commissioner did not know at the time of the taking of the depositions herewith filed, but your commissioner has inquired about the land from parties who are acquainted with the same and is informed and so believes that it is all woodland from which the timber and firewood has been cut and is worth something like five dollars per acre. Its annual value would be nothing as none of it is cleared.

There is nothing appearing of record belonging to Shirley W. Carr.

2nd. That the rents of the real property in the bill mentioned will rent for enough in five years to pay off and discharge the judgment mentioned in the bill and proceedings of this suit, but the property of the said Charles M. Carr will not rent for enough in five years to pay off and discharge all the judgments of record against him.

3rd. Your commissioner finds the following liens against the property mentioned herein:

1st. a deed of trust on the land of M. H. Carr, in which W. B. H. Munford is trustee, for the benefit of R. N. Turner, to secure the payment of the sum of \$250, recorded in D.B. No. 75 at page 54?

2nd. a deed of trust on the 137 acre tract belonging to the said C. M. Carr, in which J. Peter Holland is the trustee, for the benefit of Wm. S. Holland as Committee for I. W. Duck, to secure the payment of the sum of \$1500, recorded in D.B. No. 70, page 527.

3rd. A judgment against C. M. Carr in favor of the Wiley, Harker, Camp Company, rendered by the Circuit Court of Isle of Wight County on the 6th. day of December, 1906, for the sum of \$184.83 with interest thereon from Oct. 17th. 1903 and \$7.42 costs.

- 4th. The judgment of the complainant in this suit against Chas M. Carr, Shitley W. Carr and M. H. Carr, rendered by the said Circuit Court on the 11th. day of March, 1907, for the sum of \$200 with interest thereon from the 13th. day of January, 1907, and 1.25 costs of protest and \$7.81 court costs.
- 5th. A judgment against the said C. M. Carr in favor of West & Withers, rendered by a Justice on the 4th. of Feb. 1908 for the sum of \$18.00 with interest thereon from July 8th. 1907 till paid and \$1.30 costs.
- 6th. A judgment against the said C. M. Carr in favor of J. E. West, Assignee, rendered by a justice on Feb. 4th. 1908 for the sum of \$67.00, with interest thereon from July 8th. 1907 till paid and \$1.30 costs.
- 7th. A judgment against the said C. M. Carr in favor of T. W. Wood & Son for the sum of \$44.02 with interest from Jan. 15th. 1907 till paid and \$1.30 costs, rendered by a justice.
- 8th. A judgment against the said C. M. Carr in favor of J. R. Turner's administrator, rendered by a justice, for the sum of \$45.58, with interest from Feb. 4th. 1908 till paid and \$1.30 costs.
- 9th. A judgment against the said C. M. Carr, in favor of the W. J. Dilworth Company, Inc., rendered by the said Circuit Court at the March term, 1908, for the sum of \$105.24, with interest thereon from the 3rd. day of January 1908 till paid and \$7.78 costs.
- 10th. a judgment against the said C. M. Carr in favor of D. M. Ferry & Co. rendered by a justice, for the sum of \$12.57 with interest thereon from the 13th. of June, 1908 till paid and \$1.75 costs.
- 11th. A judgment against the said C. M. Carr in favor of the Southern Bell Telephone and Telegraph Co., rendered by a justice, for the sum of \$15.44, with interest thereon from May 9th. 1908 till paid and \$2.50 costs.
- 12th. A judgment against the said C. M. Carr in favor of W. B. Ferguson & Co., rendered by the said Circuit Court on the 8th. of July 1908, for the sum of \$357.07 with interest thereon from April 17th. 1908 till paid and \$7.79 costs.

4th. A judgment against C. E. Carr, in favor of West & Withers,
rendered by a Justice on Feb. 4th. 1908

4th. Your commissioner finds no liens by delinquent taxes upon any of the said lands nor any other liens save those reported above by deed of trusts and judgments.

It appears that all the proper parties in this suit are before the Court.

All, of which is respectfully submitted.


Commissioner.

Commissioner's fees

10 hours employed,.....\$7.50

Sheriff's fee

Sum. 3 witnesses,.....⁹⁰~~.00~~

Serving 3 notices,..... 1.50

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The Farmers Bank of Newswind
vs of Chauany
Chas M Carr et al

Commissioner's Report

Filed Sept. 14-1908

Dist. Johnson
CC

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon *Charles M. Carr, Shirley*
H Carr and M H Carr

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 *3rd* Monday in *May* 1908,
to answer a bill in chancery, exhibited against *them* in our said court for
Farmers Bank of Ransom, a Corporation

And have then there this writ. Witness *NATHANIEL F. YOUNG*, Clerk of our said court, at
the court-house, the *12th* day of *May* 1908, and in the *12132nd*
year of the Commonwealth.

Dist. Johnson

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Farmers Bank of New
Seward,

SUBPOENA
IN
CHANCERY.

VS.

}

Chas M Carr

et als

C. C. Edwards

p. 9

To 2nd May

Rules,

Circuit

Court.

1908

B 3119

Executed May 14-1908 by delivering a true
copy of the within summons to Chas. M. Carr
in person + by ^{leaving} ~~delivering~~ a true copy ^{through} with Chas.
Carr for Shirley H. + W. H. Carr, ^{they were legally bound as their agent} in the Co of ^{mean of above} ~~Delaware~~ High
Th. A. Edwards Shff. By R. Augustus Edwards Deputy Shff.

To the Honorable B. D. White, Judge of the Circuit
Court of Isle of Wight County, Virginia:

Your petitioners the Oiley, Horker & Camp
Company, Wash & Coiters, J. E. Wash Assignee,^{St. Louis Attorney}
S. W. Wood & Son, W. J. Eldforth Company, Incorporated,
The Southern Bell Telegraph & Telephone Company and
W. B. Ferguson Company,^{and D. M. Terry & Co.} respectfully represent
unto the Court the following:

First, that in the May term 1908, the
Farmers Bank of Portsmouth instituted
a Chancery suit in the Circuit Court
of Isle of Wight County, Virginia, for
the purpose of enforcing the lien of
a judgement obtained in the Circuit Court
of said County on the 11th day of March
1907, for the sum of Two Thousand Dollars,
with interest from the 13th day of January
1907 and \$125 Costs of protest and \$7.81 Court
Costs, against, Chas. M. Carr, Shisley W. Carr
and M. H. Carr; that on the 1st day of June
1908 a decree was entered by this Court
referring this cause to a Commissioner and
directing-

1st An account of the several Tracts of land
owned by the defendants, together with their fee
simple and annual values.

2^d Whether or not the rents of real property in the
bill mentioned, if applied to the payment of the

said judgment, would satisfy the same in full
there

3^d An account of all liens against the
property of said defendants, together with their
respective priorities, and especially an account of
the lien of your Complainant

4th An account of all unpaid or delinquent
taxes on said properties, and the said
Commissioner's report shows the following judgments:

A judgment against C. M. Carr in favor of
the Wiley, Harker Pump Company, rendered by the
Circuit Court of Isle of Wight County, Vir-
ginia, on the 6th day of December, 1906, for the
sum of \$184.83, with interest thereon from
October 17th 1903 and \$7.42 costs.

2^d A judgment of the complainant in this
suit against Chas. M. Carr, Shisley W. Carr,
and M. H. Carr, rendered by the said Circuit
Court on the 11th day of March, 1907, for the
sum of \$200. with interest thereon from the
13th day of January 1907, and \$11.25 costs of process
and \$7.81 costs.

3^d a judgment against the said C. M. Carr, in
favor of West & Winters, rendered by a
Justice on the 4th day of February 1908,
for the sum of \$18⁰⁰. with interest
thereon from July 8th 1907 till paid
and \$1³⁸ costs.

A judgement against the said C. M. Carr in favor of J. E. West Assignee, rendered by a Justice on July 4th 1908 for the sum of \$6,400 with interest thereon from July 8th 1907 till paid and \$1³⁰ Costs.

A judgement against C. M. Carr in favor of J. W. Wood & Son for the sum of \$44,02 with interest from Jan. 15th 1907 till paid and \$1³⁰ Costs.

A judgement the said C. M. Carr in favor of J. R. Turner's Administrator, rendered by a Justice, for the sum of \$45,58 with interest from July 4th 1908 till paid and \$1³⁰ Costs -

A judgement against the said C. M. Carr in favor of W. G. Delworth & Co., Inc., rendered by the said Circuit Court at the March Term 1908, for the sum of \$105,24, with interest thereon from the 3rd day of January 1908 till paid and \$4,98 Costs -

A judgement against C. M. Carr in favor of D. H. Perry & Co., rendered by a Justice, for the sum of \$12,57 with interest thereon from the 18th day of June 1908 till paid and \$1²⁵ Costs.

A judgement against C. M. Carr in favor of the Southern Bell Telegraph & Telephone Co., for the sum of \$15⁴⁴ with interest thereon from May 9th 1908 till paid & \$2⁵⁰ Costs.

A judgment against the said C. M. Carr in
favor of W.B. Ferguson & Co., rendered by the said
Circuit Court on the 8th day of July
1908 for the sum of \$357.07, with interest
thereon from the 17th day of April 1908 till
paid and \$7.79 Cts.

Your petitioners in order to avoid a multiplicity
of suits pray to be made party plaintiffs
to this suit; and join in all of the prayers
of the said Farmers Bond, Incorporated, that a
proper decree may be entered, that such other,
general and further relief may be afforded
your petitioners as the nature of their case
may require or to equity shall seem meet.
And your petitioners well love pray & Co

6
Farmers Bond & Marine

Mord. 23d Chy.
15. 23d Chy.
Chas M. Carrelals

Petition of
Wiley Stokes Camp Co.
et al.

H. H. Matthews Esq
Counsel for the Petitioners,
Filed
Oct. 14/08
B.D.

R. E. L. Walker, Atty for Wiley Stokes Camp Company.

Rene P. Deane, Atty for West Withers, J. E. West assignee, J. H. Wood & Son,

H. J. Delworth & Co Inc, The Southern Bell Telegraph & Telephone Co., H. B.

Ferguson Company and O. M. Ferry & Co and James R. Turner's Administrator.

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

To the Hon. B. D. White, Judge of the Circuit Court of said County:

The Farmers Bank of Nansemond, a corporation, respectfully complaining, shows unto the court the following case:

That it is a corporation duly incorporated under the laws of the State of Virginia, and with its principal office in Suffolk, Virginia.

That on the 11th day of March, 1907, it recovered in the Circuit Court of the County of Isle ^{of} Wight, a judgment for Two hundred (\$200.00) dollars, with interest thereon from January 13th, 1907, until paid and one dollar and twenty five cents cost of protest, and costs, against Charles M. Carr, Shirley W. Carr and M. H. Carr, an extract of which judgment, marked, "Exhibit A" is herewith filed and prayed to be read as a part hereof. Of this judgment, though execution issued thereon, no part has been paid, and your complainant does not believe that it can be made from the personalty of the defendants.

The said Chas. M. Carr owns two tracts of land in the county of Isle of Wight, Virginia, one containing forty acres, more or less, and adjoining the lands of D. W. Carr, George W. Uzzell, N. H. Johnson and others, and the other containing one hundred and thirty seven acres, more or less, and adjoining the lands of Carr Munford, M. H. Carr and others.

The said M. H. Carr also owns a tract of land in said County and State, containing one hundred acres, more or less, and adjoining the lands of M. T. Barrett, John T. Carr, C. M. Carr and others.

Your complainant avers and charges that it is enti-

tled, if the rents and profits will in five years satisfy your complainant's judgment and costs, to have said land leased out and the rents applied to the payment of same until paid; and your complainant further avers and charges that, if the rents and profits of said land will not, in five years satisfy your complainant's judgment, it is entitled to enforce the lien of same by a sale of the real estate as aforesaid.

In tender consideration whereof, and for as much as your complainant is remediless save in a court of equity where matters of this kind are properly cognizable, your complainant prays that the said Charles M. Carr, Shirley W. Carr and M. H. Carr may be made defendants to this bill and required to answer the same, answers under oath being waived; that proper process issue; that all proper orders and decrees may be made and inquiries directed; that if it shall appear that the rents and profits of said real estate will not, in five years, satisfy your complainant's judgment that the said real estate be sold and the proceeds thereof be applied in satisfaction of your complainant's said judgment; that if such rents and profits will so suffice, the said land be rented out and the rents and profits be applied to the said judgment until the same is fully paid; and that all such other, further and general relief may be given your complainant as the nature of its case may require or to equity will seem meet.

And your complainant will ever pray, etc.

FARMERS BANK OF NANSEMOND.

E. E. Hareau
per

By *E. E. Hareau*
its President

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E. E. Holland, Jr.
Farmers Bk of Nauset
N.

C. M. Carr & als.

Bill.

2nd May rules 1908
Process returned executed
on all defendants - Bill
filed - Decree nisi

2nd May rules 1908:
Defendants still failing to
appear and plead, answers or
denials, Bills taken for con-
fessed as to all of them
and case set down for
hearing.

E. E. HOLLAND,
ATTORNEY AT LAW
SUFFOLK, VA.

JEWELL & COMPANY, PHILADELPHIA.