1928-002 Chancery Causes: R. A. Horne, for v c vs Madeline Uzzell, by v c, adm+ Folder 1
Dale / Wright County J L. E. Uzzell v al 429
Petition of Madeline Uzzell

other surnames: Crumpler, Barrett, Garrison, Godwin, [Bank of Zuni], [Bank of Windsor], Uzzle, Chapman, Andrews

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

R. A. Horne, etc.

v) Chancery. 429.

Uzzell's Administrator et als.

TO HONORABLE BENJAMIN DEY WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA:

The undersigned, special commissioner in the above entitled cause, respectfully reports to the Court:

1. That as directed by the decree entered herein on the 2nd. day of March, 1925, he has paid to Madeline Uzzell, the infant defendant herein, during the year 1925, two hundred dollars; and that he has, already, paid to her for the year 1926, one hundred and fifty dollars, for her maintenance and support: Receipts for the payments herein mentioned are herewith filed.

2. That the said Madeline Uzzell has stated to your special commissioner that she desires to take a home course with the Norfolk College, in book-keeping and shorthand. In fact she is now taking it. This home course is given by correspondence and by visitations by a representative of the college at frequent intervals. She states that there are several taking the course in Windsor, the place of her residence, and that to take it as they do will be of great help to her. She states, in her petition, that she will be engaged in the taking of this course about six months, after which time she expects to be able to apply for and obtain a position, from which she can obtain a livelihood.

One of the representatives of the Norfolk College talked to the undersigned, some days ago, about this matter, and he was told by the commissioner that if he chose to enroll Miss Uzzell and to begin the course, at his own risk, that he could do so, but that no responsibility would devolve upon the court, whatever, by reason of such statement, to pay the tuition. Since that time a letter has been received from the Principal of the school, which is attached hereto, stating that owing to the limited means of the infant defendant, that they will cut the price for the tuition from $175.00 to $140.00. The letter further states, as will be noted, that the work of the student, up to this time, is very promising.

Inasmuch as the infant defendant has now attained to the age of eighteen years, and that she has no property save and except the fund under the control of the court, in this cause, which now amounts to between seven and eight hundred dollars, and that she desires to equip herself to make her own way in life, it seems that she might as well have some of the money for the purpose mentioned.

She further states in her petition, that she needs a little more than two hundred dollars for her maintenance and support, per annum, and asks to be allowed fifty dollars more, which your commissioner believes to be reasonable, and it is recomended that it be allowed, and decree entered so directing.

3. It will be noted, by the petition of the said Madeline Uzzell, filed herein on the 2nd. day of March, 1925, that her sister, who is or would be her only heir at law, should she die ~~in infancy~~ unmarried, unmarried and without issue, has consented that the Court may make any allowance to the said Madeline Uzzell, out of the funds under the control of the Court in this cause, and for any purpose, it sees fit.

Respectfully submitted,

C. Johnson, Special Commissioner

Receipt of the sum of three hundred and fifty dollars of A. S. Johnson, Special Commissioner in the suit of Horne etc. v. Uzzell's administrator et als., pending in the Circuit Court of the County of Isle of Wight, Virginia, is hereby acknowledged, and which sum was paid as follows:

April 3rd. 1925,	$100.00
July 1st. 1925,	50.00
September 1st. 1925,	50.00
January 1st. 1926	50.00
April 1st. 1926,	50.00
July 1st. 1926,	50.00

Madeline Uzzell

EXECUTIVE OFFICES 2ND FLOOR

NORFOLK COLLEGE

FLATIRON SQUARE
NORFOLK, VIRGINIA.

DEPARTMENTS
LITERARY
COMMERCIAL
DRAMATIC ART
MUSIC

July 20, 1926

Mr. A. S. Johnson
Attorney at Law
Smithfield, Virginia

Dear Mr. Johnson:

I have your letter of July 13 with reference to the business course Miss Madeline Uzzell is taking with us.

I note particularly what you say in regard to the limited amount of property belonging to Miss Uzzell, and I wish to advise that we shall be glad to allow her $35; making the cost of the course $140 instead of $175.

In answer to your questions, in the event that Miss Uzzell should die before completing her course, she would be charged only for that part which she had completed, and a rebate would be made for the balance.

Miss Uzzell has been sending some bookkeeping work to me through the home study department, and I am pleased to announce that so far, her work has been excellent; both as to neatness and accuracy.

I wish that we might have Miss Uzzell right here in school with us, and I hope it may be arranged so that she can do that. Assuring you that we shall take an interest in this young lady both while she is pursuing her course, and after she has completed it, in assisting her to a position.

With all kind wishes, I am

Sincerely yours,

J. H. Harland

Principal

JHH/PN

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Virginia: Circuit Court
of Isle of Wight County.

Horne, etc.

v) Chancery. 429.

Uzzell's Administrator et
als.

Report of special com'r.

Filed Sept. 7, 1926.
B.D.C.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Received of A. S. Johnson, Special Commissioner in the suit of Horne, etc. v. L. E. Uzzell's Administrator, et als., chancery, pending in the Circuit Court of the County of Isle of Wight, State of Virginia:

Writ tax,.....	$ 1.50
Clerk fees,.....	12.20
Commissioner in chancery fee,...	20.00
Bond premium,.....	10.00
1922 delinquent tax,.....	63.45
1923 delinquent tax,.....	59.38
Clerk fee for calculating tax,..	.50
	$167.03

R. H. Edwards

M. Leonard E. Uzzell

TAXES AND LEVIES, 1924

HARDY DISTRICT

Land.....Page.....Line.....

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To W. E. LAINE, Treasurer of ISLE OF WIGHT COUNTY, VIRGINIA, Dr.

No. 1120

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy	$ .50
County School Levy	.50
County Road Levy	.10
District School Levy	.50
District Road Levy	.45
Poor Levy	.05
Total	$ 2.10

Total Rate on Intangibles
Class 1.....for Roads, 20 cents on $100
Classes 5, 2.....for Roads, 00 cents on $100

	Valuation	Rate of State Tax on $100	State Tax	Rate of Local Levies on $100	Local Levies	Total Tax and Levies
Real Estate.....97 Acres	2500	$ .25	$ 6 25	$ 2 10	$ 52 50	$
Real Estate.....Acres		.25		2 10		
Real Estate.....Acres		.25		2 10		
Real Estate.....Acres		.25		2 10		
Tangible Property		.25		2 10		
Class 4 (Money)		.20		...NO NE..	.....NO NE..	
Class 6 (Bonds of Counties, Cities and Towns of this State)		.35		...NO NE..	.....NO NE..	
Class 1 (Bonds, Notes and other evidences of debt).....Value $		.35			20	
Class 5 (Shares of Stock).....Value $		.80			30	
Class 3 (Capital)		.85			30	
Income	By	(1% up to $3,000; 2% on excess)		...NO NE..	.....NO NE..	
Bank Stock		NONE	.....NO NE..		85	
Stock Mdse		NONE	.....NO NE..		25	
State Poll (or Capitation) Tax			1 50	...NO NE..		1 50
Total Taxes and Levies			$		$	$ 58 75

RECEIVED PAYMENT
JAN 31 1925
W. E. LAINE, TREAS.

CREDITS

Date	Account	Amount
		$

Received Payment:

Five Per Cent. Penalty..... 2 94

Total Taxes, Levies and Penalty... $ 61 69

....., Treasurer.

Paid in full Jan 31 1925 Leonard E. Uzzell
Received Payment
W. E. Laine Treas.
Special Warrant

Received of A. S. Johnson, special commissioner in the suit of Horne, who sues, etc. v. Uzzell's administrator et als, pending in the Circuit Court of the County of Isle of Wight, Virginia, the sum of $64.00, it being the amount due to me as special commissioner's commission on sale of land under said suit.

A. S. Johnson
special commissioner.

Received of A. S. Johnson, special commissioner in the suit of Horne, who sues, etc. v. Uzzell's Administrator, the following amounts directed to be paid to us under said suit, to-wit:

Counsel feel allowed by the court,	$ 75.00
Taxed attorney fee,	15.00
For draft of special commissioner's deed,	10.00
For war tax stamps on deed,	3.00
Paid for sale notices,	3.00

Johnson & Stephens
Attorneys.

$586.57 January 29th. 1925.

Received of A. S. Johnson, Special Commissioner in the suit of Horne etc. v. Uzzell's administrator, et als, the sum of five hundred and eighty six dollars and fifty seven cents, it being the share of Bank of Windsor, in the proceeds of sale of the tract of land in the bill and proceedings of said suit mentioned, after payment of the taxed costs therein.

Bank of Windsor,

By _____, Cashier.

$586.57 January 29th. 1925.

Received of A. S. Johnson, Special Commissioner in the suit of Horne etc. v. Uzzell's Administrator et als, the sum of five hundred and eighty six dollars and fifty seven cents, it being the share of Bank of Zuni in the proceeds of sale of the tract of land in the bill and proceedings of this suit mentioned, after payment of taxes and taxed costs therein.

BANK OF ZUNI,

By J. T. Clayton, Chashier.

$5.00

January 29th. 1925.

Received of A. S. Johnson, Special Commissioner in the suit of Horne etc. v. Uzzell's administrator, et als, chancery, pending in the Circuit Court of the County of Isle of Wight, Virginia, the sum of $5.00, being crier fee for sale of property in the bill and proceedings of said suit mentioned.

F L Wilson

$50.00 Received of A. S. Johnson, special Commissioner in the suit of Horne, etc. v. Uzzell's Administrator and others, the sum of fifty dollars, allowance made by the court, to be paid in April, 1925.

Madeline Uzzell.

$50.00 Received of A. S. Johnson, Special Commissioner in the suit of Horne etc. v. Uzzell's Administrator, the sum of fifty dollars on account of one installment directed to be paid by decree entered in said suit March 2nd. 1925.

Mastine Uzzell.

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

R. A. Horne, who sues, etc.

v) Chancery. 429.

Uzzell's Administrator et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, State of Virginia.

The undersigned, heretofore appointed special commissioner in this cause, respectfully reports to the court, that pursuant to the decretal order entered in this cause on the 5th. day of January, 1925, he has, out of the fund in his hand, received as the purchase price for the tract of land in this proceeding mentioned, namely, the sum of twenty seven hundred and fifty dollars, paid the costs of this suit, and made distribution of the residue, as follows, to-wit:

To R. A. Edwards, County Clerk, delinquent tax for 1922,	63.45
To R. A. Edwards, County Clerk, delinquent tax for 1923,	59.38
W. E. Laine, County Treasurer, 1924 State and County tax	61.69
R. A. Edwards, County Clerk, fee for collecting delinquent tax,	.50
R. A. Edwards, Clerk, writ tax on suit,	1.50
Johnson & Stephens, attorneys, taxed attorney fee,	15.00
R. A. Edwards, Clerk, Clerk fees,	12.20
R. A. Edwards, Commissioner in Chancery, report,	20.00
R. A. Edwards, agent, premium on special com'r. bond,	10.00
F. L. Wilson, crying land at sale,	5.00
Johnson & Stephens, counsel fee allowed by the court,	75.00
Johnson & Stephens, drawing deed for special commissioner,	10.00
Johnson & Stephens, war tax stamps for commissioner's deed,	3.00

Johnson & Stephens, paid for sale notices,	3.00
Al S. Johnson, special commissioner, commission on sale,	64.00
Paid Bank of Windsor, its share in proceeds of sale,	586.57
Paid Bank of Zuni, its share of proceeds of sale,	586.57
Deposited in Bank of Smithfield for Madeline Uzzell,	1173.14
Aggregating,.....	$ 2750.00

It will be observed that the proceeds of sale of the tract of land in the bill and proceedings of this suit mentioned, after the payment of the costs of the suit, was not sufficient to pay off the indebtedness in full.

Vouchers for the disbursements enumerated above are herewith filed, as a part of this report.

Immediately after the entry of the decree of January 5th. 1925, your commissioner deposited the share of Madeline Uzzell, of $1173.14, in Bank of Smithfield and took a certificate of deposit therefor, bearing date the 31st. day of January, 1925. That certificate has been surrendered, as directed by decree entered herein on the 2nd. day of March, 1925, the fund evidenced thereby being put on checking account, and thereout has been paid to Madeline Uzzell, for her education, maintenance and support the sum of one hundred dollars, as directed by the said decree of March 2nd. 1925. Interest was added to the original sum of $1173.14 at the rate of four per centum per annum, from the date of the said certificate of deposit, January 31st. 1925, to April 8th, 1925. The amount, for the convenience of the bank, will be kept on check account, but will bear interest at the rate of four per centum per annum, and as the fund is checked upon, as is and may be is directed by the court, the interest then accrued will be added and the deduction of the check made.

The amount in the hands of the special commissioner now being between one thousand dollars and eleven hundred dollars, and which will be constantly decreasing, it is suggested that the penalty of the special commissioner's bond be reduced to twelve hund-

red and fifty dollars.

Respectfully submitted,

Special Commissioner.

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

R. A. Horne, who sues etc.,

v). Chancery. No. 429.

Uzzell's Administrator etc.,

Report of Special Commissioner.

Filed Oct. 24/1925

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R. A. Horne, who sues etc.

v) Chancery. 429.

W. H. Chapman, and as such administrator of the estate of L. E. Uzzell, deceased, et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, State of Virginia.

The undersigned, special commissioner in this cause, respectfully reports to the court that, in obedience to the decree entered herein on the 5th. day of January, 1925, he has collected from John T. Carr the purchase price for the land sold by him in the bill and proceedings of this suit mentioned, and has delivered to the said John T. Carr a deed conveying to him the said tract of land, with covenant of special warranty, as directed by said decree.

Respectfully submitted,

E. Johnson

Special Commissioner.

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

R. A. Horne, who sues, etc.

v) Chancery. 429.

L. E. Uzzell's administrator et als.

Report of special commissioner,
Filed Jan. 5th. 1925.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

PUBLIC SALE

Sale of Farm Property Situated Near Zuni

Pursuant to a certain decree entered in the Chancery Court of the County of Isle of Wight, State of Virginia, on the 15th day of October, 1924, in the chancery cause therein depending in which R. A. Horne is the complainant, and W. H. Chapman, administrator, of the estate of L. E. Uzzell, and others, are the defendents, the undersigned, Special Commissioner, will offer for sale, for cash, in front of the Clerk's office of the said County of Isle of Wight, State of Virginia, on

~~WEDNESDAY~~ Friday, NOV. ~~12th~~ 14th., 1924,

BEGINNING AT ~~11~~ 12 A. M.

All of that certain tract, piece, or parcel of land lying, being and situate in the County of Isle of Wight, at or near the village of Zuni, State of Virginia, containing ninety seven (97) acres, more or less, bounded by the lands of W. A. Cobb, G. T. Cobb, J. T. Landing, N. H. Johnson and the Wells Munford tract.

A. S. JOHNSON, Special Commissioner.

VIRGINIA: Clerk's Office of the Circuit Court of the County of Isle of Wight, Virginia, Oct. 15th, 1924

The bond required of A. S. Johnson, Special Commissioner for the sale of the above described tract of land has been executed.

Teste: R. A. EDWARDS, Clerk.

Please Post

Sold for $2750.00 to

F. T. Wiley

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

R. A. Horne, who sues etc.,

v). Chancery. No. 429.

W. H. Chapman, Sheriff and as such adm'r., of the estate of L. E. Uzzell, dec'd., et als.

To the Hon. B. D. White,

Judge of the Circuit Court of the County of Isle of Wight, State of Virginia.

The undersigned, special commissioner, begs leave to report that pursuant to a certain decree entered in this cause on the 15th., day of October, 1924, he offered for sale, after advertising the time, place and terms of the said sale in accordance with the directions in the said decretal order contained, at public auction, to the highest bidder, for cash, in front of the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, at 12 o'clock noon, on the 14th., day of November, 1924, the tract of land in the bill and proceedings mentioned, at which sale John T. Carr of the County and State aforesaid became the last and highest bidder, having bid the ~~fill~~ sum of twenty seven hundred and fifty dollars. And ~~your~~ said special commissioner recommends to your honor that the said bid be accepted.

C. Johnson, Special Commissioner

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

R. A. Horne, who sues etc.,

vs.). Chancery No. 429.

W. H. Chapman, Shf., and as such adm'r., estate L. E. Uzzell, et als.

Report Special Commissioner.

Filed January 5th 1925

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. Horne, who sues on behalf of himself and all other creditors of L. E. Uzzell, dec'd., who may come in and contribute to the costs of this suit.

v). Chancery. No. 429.

W. H. Chapman, Sheriff and as such adm'r., of the estate of L. E. Uzzell, dec'd., Bank of Zuni, Bank of Windsor, W. E. Garrison, trustee, Madeline Uzzell, an infant under the age of twemty one years, and J. T. Godwin.

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 for the Circuit Court of the County of Isle of Wight, State of Virginia, to whom has been referred the papers in this cause for the execution of a certain decree entered on the 4th., day of April, 1924, respectfully reports to the court that on the 20th., day of June, 1924, after giving notice to all parties, he proceeded to execute the said decree, and there took the evidence of W. H. Chapman, W. E. Garrison and W. C. Andrews in the presence of Messrs. A. S. Johnson and A. E. S. Stephens, counsel for the complainant, and G. F. Whitley, guardian ad litem for the infant defendant, a copy of whose signed testimony is attached hereto and made a part of this report.

That from the evidence so taken and reported, and the records filed in the Clerk's Office of the court, and from the pleadings filed in this cause, your commissioner is informed and reports as follows, to-wit:

I. At the death of L. E. Uzzell he was seized and possessed of an undivided one half interest in a certain tract of land lying, being and situate near the Village of Zuni, County of Isle of Wight, State of Virginia, adjoining the lands

of W. A. Cobb, G. T. Cobb, J. T. Landing, W. H. Johnson and the Well's Munford tract, containing ninety seven acres, more or less. This tract of land is about one half open land and the other half wooded; the open land being in only a fair state of cultivation and the wooden land about sufficient to provide fuel and materials for fencing the premises. There is a dwelling house, semi-bungalow, on it which has been re-modeled and is only in fair condition; and, there are practially no outhouses on the premises. The fee simple value of the land is estimated to be between twenty five hundred and three thousand dollars, and the rental value around one hundred and fifty dollars.

From the testimony of W. H. Chapman, sheriff and as such administrator of the estate of L. E. Uzzell, it appears that the whole of the chattel property owned by the said L. E. Uzzell, with the exception of some peanuts sold by him for the sum of one hundred and twenty five dollars, which said sum was applied in part payment of the burial expenses of L. E. Uzzell, is covered by a deed of trust held by M. T. Barrett, Jr., who, he thinks, is a son-in-law of L. E. Uzzell.

II. The said L. E. Uzzell died intestate.

III. Partition cannot be made of the entire tract, or any distinct or independent part thereof, conveniently, and it appears that it will be to the interest of all parties in interest to make a sale of the whole, and distribute the proceeds in the manner presecribed by statute.

IV. Should the property be divided among the parties entitled thereto, the part allotted and assigned to the estate of L. E. Uzzell, will not, if rented for five years, be sufficient to satisfy the liens against his interest in the said real estate, and his proportionate share of the costs of this suit.

V. There are liens against the interest of L. E,

Uzzell in the said real estate, as follows, to-wit:

a. The delinquent taxebook for the County of Isle Wight, State of Virginia, show delinquent taxes for the year 1922 against a 97 acres tract of land in the name of L. E. Uzzell, adjoining the lands of W. A. Cobb et als., for the approximate sum of fifty nine ($59.00), dollars.

b. The Treasures of the County of Isle of Wight reports that there are delinquent taxes, for the approximate sum of fifty eight ($58.00) dollars, for the year 1923, against a certain tract of land, assessed in the name of L. E. Uzzell, containining 97 acres, adjoining the lands of W. A. Cobb et als.

c. L. E. Uzzell by his deed bearing date the 8th., day of August, 1921, and entered of record in the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, in D. B. 91, page 611, conveyed all of his right, title and interest in and to the said 97 acre acre tract of land to W. E. Garrison, in trust, to secure the payment of the sum of $1400, evidenced by two certain promissory, negotiable notes, bearing date same as said deed, and payable as follows, to-wit: the first note for the sum of $700, payable ninety days after date to the Bank of Zuni; and, the second note for a like sum of $700, and payable ninety days after date to the Bank of Windsor.

d. A lien of a certain judgement obtained by J. T. Godwin, agains L. E. Uzzell, before A. Lee Saunders, a Justice of the Peace for the County and State aforesaid, on the 19th., day of December, 1921, and entered of record in the Clerk's Office aforesaid in J. D. 4, page 88, for the sum of $56.16, with interest thereon from December 8th., 1921, until paid, and $3.80 costs, subject, however, to a credit of $35.25 as of the 23rd., day of December, 1923.

There does not appear, of record, any liens against the interests of any of the other parties.

VI. All the proper parties are before the Court.

Respectfully submitted,

R. A. Saunders

Commissioner in Chancery.

June 20th., 1924.

Commissioners fee $70.00 .

W. E. Garrison being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. W. E. Garrison, forty five years of age, live in Isle of Wight County and am a farmer.

Q. Are you acquainted with the tract of land of which Mary M. Uzzell died siezed and possessed? Ans. Ye sir.

Q. How far do you reside from it? Ans. About two and a half miles.

Q. Can such real estate be conveniently divided among the parties entitled to share therein, either in its entirety or any indepent portion thereof? Ans. No it cannot, to make any sort of division would lessen the value of the pieces cut off from each other.

Q. Will the interests of the parties entitled to share in said land be promoted by a sale of the whole and a division of the proceeds? Ans. Yes, that would be the only way to make a proper division of it.

Q. In the event that it should be divided into two parts, would such part so assigned to the estate of L. E. Uzzell be sufficient, in addition to the personal estate of said L. E. Uzzell, assuming that it is worth one hundred and fifty dollars, to rent for enough in five years to pay his debts, as set forth in the bill, which I now read to you? Ans. No, it certainly would not.

Q. What, in your opinion, is a fair fee simple value for the land, all of it, the whole tract? Ans. Well, it may bring more, but I do not believe that one could afford to pay more than twenty five hundred dollars for it and be safe.

Q. What would the whole tract rent for? Ans. About one hundred and fifty dollars a year. The land is very poor and washy.

Q. Are you the Garrison mentioned as trustee in the deed of trust set forth in the bill? Ans. Yes.

And further this deponent saith not.

W. E. Garrison

W. H. Chapman being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. W. H.Chapman, forty four years of age, live in Isle of Wight County, Va. and am Sheriff of the county.

Q. Are you the W. H. Chapman named in the Bill in this suit, as the administrator of L. E. Uzzell? Ans. Yes sir.

Q. Have you had any appraisement made of the personal estate of L. E. Uzzell? Ans. Yes sir, I have, and I hand it to you, herewith.

Q. Have you paid any claims against the estate? Ans. Yes, I have paid $125.00 on the burial account.

Q. Where did you get that money? Ans. From Robert A. Horne. It was money coming to the estate from some crops which Mr. Horne sold for him.

Q. Have you come into possession of any other chattel estate? Ans. No sir, the property appraised was covered by a deed of trust in favor of M. T. Barrett, Jr.

Q. Has that property been sold? Ans. Not that I know of.

Q. Where is it now? Ans. It is on the property, occupied by M. T. Barrett, Jr., who, I think, is the husband of Uzzell's daughter.

Q.

And further this deponent saith not.

W. H. Chapman

W. C. Andrews being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. W. C. Andrews, I am forty two years of age, live in Isle of Wight County, Virginia, and am a farmer.

Q. Are you acquainted with the tract of land, in Isle of Wight County, of which Mary M. Uzzell died siezed and possessed? Ans. Yes sir, I live in about four and a half miles of it, and have known it all my life. Having heard the question raised as to its value I have ridden around it for the purpose of ascertaining the best I could its value.

Q. How many acres of the tract open and how many cleared? Ans. About forty acres open and about fifty, or such matter, in woodland.

Q. What is the condition of the open land, and also the woodland? Ans. It is run down, the open land is, and there is very little or no timber, about enough to keep the place. The fences are in bad shape, and the dwelling house is in fair condition, it is a story and a jump, I think about four rooms in it. It is a very old house remodelled some. The outhouses are coming down, some of them propped up.

Q. Please state what, in your opinion is a fair fee simple and what a fair annual value of this tract of land? Ans. I think the land should be worth from twenty five hundred to three thousand dollars. I would not like to have over three thousand dollars in it. It ought to rent for about a hundred and fifty dollars a year.

Q. Can this property be conveniently divided among the parties entitled to share therein, either in its entirety, or any distinct or independent portion thereof? Ans. No it cannot. There is only one convenient way and that is to sell the whole and divide the money. To make any sort of division of the land would lessen its value.

Q. In the event that the court should determone to make partition, and it is found that the estate of L. E. Uzzell is entitled to half the land, and is given half the land, will it rent for enough, in five years, to pay the debts known to be due by his estate? Ans. No sir, not if he owes as much as is stated in the Bill, not by a great deal.

Q. How far is this tract of land from any railroad station, from a church and from a school? Ans. It is about half way between Zuni and Windsor, on the Norfolk & Western Railroad, and about four miles distant from each. It is within a mile of Antioch Christian Church. The nearest schools are at Zuni and Windsor.

And further this deponent saith not:

W. C. Condrens.

I have agreed to the interrogatories propounded herein, and have examined the answers to the same, and the report of the Commissioner, and find no objection to its confirmation.

Geo. F. Whitley.
Guardian ad Litem for Madeline Uzzell.

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

R. A. Horne, who sues on behalf of himslef and all other creditors of L. E. Uzzell, dec'd., who may come in and contribute to the costs of this suit.

V). Chancery No. 429.

W. H. Chapman, Sheriff and as such Adm'r., of the estate of L. E. Uzzell, dec'd., Bank of Windsor, W. E. Garrison, trustee, Madeline Uzzell, an infant under the age of twenty one years, Bank of Zuni, and J. T. Godwin , ~~trustee~~.

Take notice that I will on the 20th., day of June, 1924, at the Clerk's Office of the Circuir Court of the County of Isle of Wight, State of Virginia, at eleven o'clock A . M. proceed to execute a decree entered in the above entitled cause on the 4th., day of April, 1924, which said decree requires one of the Commissioners in Chancery of the Circuit Court of the said County of Isle of Wight, to inquire and report to the court:

I. Of what real estate, or interest therein, the said L. E. Uzzell was entitled, a t the time of his death, and also if he died seized and possessed of any personal estate, and where such real estate and personal estate, if any, is or what disposition has been made of it.

II. Whether or not the said L. E. Uzzell died testate or intestate.

III. Whether or not the real estate mentioned in the bill is susceptible of partition among the parties entitled thereto, and if not susceptible of partition among the parties entitled thereto, conveniently, and in its entirety, or any distinct or independent part or portion thereof, to adavntage, and if it cannot be so conveniently. and with advantage, partitioned, whether or not the interests of the parties entitled to the same will be promoted by a sale of the

whole, or of some distinct and independent part thereof.

IV. Whether or not, should the property be divided among the parties entitled thereto, the part of the same allotted and assigned to the estate of the said L. E. Uzzell, will, if rented for five years, would be sufficient to satisfy the liens standing against his interest in the said real estate, and his proportionate share of the costs of this suit.

V. Aan account of all the lien indebtedness against the said property, as well as against the interest of any party therein, whether created by the party in interest, or otherwsie, together with their priorities.

VI. Any other matter not specially stated deemed pertinent by the commissioner, or required to be stated by any party in interest.

R. M. Edwards.
Commissioner in Chancery.

I hereby accept legal
and sufficient service
of the annexed notice.
This the 19th day of June, 1924

H. H. Chapman.
Attn. C. E. Hogg, Esq.

W. E. Garrison Jr.
J. J. Godwin
W. E. Garrison Jr.
Mun. of London
Mun. of Lynn
By Johnson Blackburn
Comm.

7.

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

R. A. Horne, who sues etc.,

v). Chancery. No.429.

W. H. Chapman, Sheriff and adm'r., estate L. E. Uzzell, etc.,

Commissioner's Report.

Filed: June 20th., 1924.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon W, H. Chapman, Sheriff and Adm'r., of the estate of L. E. Uzzell, dec'd,, J. T. Godwin, Madeline Uzzell, an infant under the age of twenty one years, Ban k of Zuni, Bank of Windsor and W. E. Garrison,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the Fourth Monday in February, 192 4, to answer a bill in chancery exhibited against them in our said Court by

R. A. Horne.

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-house, this 18th., day of February, 192 4, and in the 148th., year of the Commonwealth.

R. A. Edwards Clerk.

By E. K. Wills D. C.

I have this day executed the within summons by serving a true copy on J. T. Godwin and W. E. Garrison in person at their usual place of abode.

February 20th., 1924.

W. H. Chapman.
Sheriff.

By, F L Wilson
Deputy Sheriff.

Filed Feb 28

2

R. A. Barnes

~~Virginia~~ Chancery No. 429

W. H. Chapman Sheriff &c. et als.

ORIGINAL SUBPOENA.

VIRGINIA, Clerk's office of the Circuit Court of the County of Isle of Wight:

.....*192*....

Returned, entered and filed.

Teste:

.....*Clerk*

.....

To 4th Mon. Feb. *Rules.*

.....

I hereby accept legal and sufficient service on the within subpoena.

W. H. Chapman
Sheriff &c. adm

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon W. H. Chapman, Sheriff and Administrator of the Estate of L. E. Uzzle, deceased, J. T. Godwin, Madelin Uzzle, an infant under the age of twenty one years, Bank Of Zuni, Bank Of Windsor, and W. E. Garrison, Trustee

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the Fourth Monday in February, 1924, to answer a bill in chancery exhibited against them in our said Court by

R. A. Horne,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Courthouse, this 18th day of February, 1924, and in the 148th year of the Commonwealth.

R. A. Edwards Clerk.

We hereby accept
service of the within
Summons in the
manner prescribed by
law.

Bank of Zuni

By. J. F. Clayton

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon W. H. Chapman, Sheriff and Administrator of the estate of L. E. Uzzle, deceased, J. T. Godwin, Madelin Uzzle, an infant under the age of twenty one years, Bank Of Zuni, Bank Of Windsor, and W. E. Garrison, Trustee.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be holden for the said Court on the fourth Monday in February, 1924, to answer a bill in chancery exhibited against them in our said Court by

R. A. Horne,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Courthouse, this 18th day of February, 1924, and in the 148th year of the Commonwealth.

R. A. Edwards Clerk.

We hereby accept service of the within summons in the manner prescribed by law

The Bank of Windsor

By. F. S. Heathcock, Cashier

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

R. A. Horne.....who sues on behalf of himself and all other Creditors of J. E. Uzzell, dec'd, who may come in & contribute to the costs of this suit.....Complainant.

v). Chancery. No. 429

W. H. Chapman, Sheriff and as such, adm'r.,
of the estate of L. E. Uzzell, dec'd.,
Bank of Zuni, Bank of Windsor,
W. E. Garrison, Madeline Uzzell, an
infant under the age of twenty one years,
and J. T. Godwin.....Defendants.

TO HON. B. D. WHITE, Judge of the said Court:

The answer of G. F. Whitley, guardian ad litem to the infant defendant, Madeline Uzzell, and the answer of the said infant defendant, the said Madeline Uzzell, by the said G. F. Whitley, her guardian ad litem, to the bill in equity exhibited against the Madeline Uzzell and others in the Circuit Court of the County of Isle of Wight, by R. A. Horne.

The respondent, reserving to herself the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof as she is advised that it is material that she should answer, by her guardian ad litem answers and says:

That she is an infant of tender years, and by reason of her infancy is incapable of understanding, or of taking care of her rights and interest. She, therefore, by her said guardian, commends herself and her rights and interests to the protection of the court, and prays that no decree may be pronounced which will tend to her prejudice.

And having fully answered, the said respondent prays to be hence dismissed with her reasonable costs on this behalf expended, and she will ever pray, etc.

Madaline Uzzell.
An infant.

By, Geo. F. Whitley.
Her guardian ad litem.

Geo. F. Whitley.
Guardian ad litem.

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

R. A. Horne

v). Chancery. No. 429

W. H. Chapman et als.

Answer of guardian ad litem.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

Horne, etc.

v) Chancery.

Uzzell's Administrator, etc.

TO HONORABLE BENJAMIN DE WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA.

Your petitioner, Madeline Uzzell, respectfuly says to the Court that she is the Madeline Uzzell mentioned in the bill and proceedings of this suit; that she was twenty years of age on the 6th. day of December, 1927; that she is advised that the fund in the hands of A. S. Johnson, Special Commissioner in this cause is less than five hundred dollars; and that it is provided, by statute, that when a fund under the control of the court is less than five hundred dollars, belonging to an infant, that it may be paid direct to the infant, if considered competent to handle the same for his or her benefit, or that it may be paid to some one for said infant. Your petitioner further says to the court that she has no father or mother living, that she is dependent upon her sister, with whom she has been living since the death of her father, her mother having predeceased her father, and lives with her sister, and with the help her sister gives her and what she does for herself, she derives her living. She, therefore, prays that the court may decree that the sum of money be, as soon as practicable, paid to her and thus save further cost in the suit.

Respectfully submitted,

Madeline Uzzell

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, in the State of Virginia, do hereby certify that Madeline Uzzell, whose name is signed to the foregoing petition, has this day personally appeared before me in my said county and made oath that the statements therein contained are true.

Given under my hand this 15th. day of June, 1928.

A. S. Johnson
Commissioner in Chancery.

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Virginia:.Circuit Court
of Isle of Wight County.

Hotne, etc.

v) Chancery. 429

Uzzell's admr. et als.

Petition of Madeline Uzzell

Filed July 2 1938.

P.T.W.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R. A. Horne, etc.

v) Chancery. 429.

Uzzell's Administrator et als.

TO THE HONORABLE BENJAMIN DEY WHITE, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, IN THE STATE OF VIRGINIA.

Your petitioner, Madeline Uzzell, respectfully shows to the Court that she is now eighteen years of age; that she is, at the present time, receiving from the fund under the control of the court in this cause, the sum of two hundred dollars a year, for her maintenance and support; that the Norfolk College, a business and shorthand school, is conducting a series of instructions in the homes of various persons, several in Windsor, where she now resides, now are taking the same, apparently, to their advantage; that she believes that if she is permitted to take the course in book-keeping and shorthand that she can, within six months or such matter, fit herself to accept a position that will giver her a substantial living; that she desires to take the same; that the tuition for such a course will cost, approximately, one hundred and eighty dollars, including the necessary books; that she has no home of her own, and will be dependent, entirely, upon her own efforts for a living:

She believes that she should be allowed at least fifty dollars more a year for her maintenance and support, in addition to the amount required to pay for such a course as is herein mentioned:

She, therefore, prays that the Court may direct the special commissioner in this cause to pay to her for her maintenance and support fifty dollars in addition to the amount now being paid to her, in equal installments, four times a year; and that he may be, also, directed to pay her tuition in the business and shorthand course herein mentioned.

She further states that she has no other property than the sum of money now in the hands of the special commissioner in this cause, and there is no prospect of obtaining any more save and except from her own labor and effort.

Respectfully submitted,

Madeline Uzzell.

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Virginia:
Circuit Court,
Isle of Wight County

Horne, etc.

v) Chancery. 429.

Uzzell's administrator
et als.

Petition of Madeline Uzzell

Filed Sept 7. 1926.
PDU

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R. A. Horne, etc.

v) Chancery. No. 429.

L. E. Uzzell's administrator, et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, Virginia.

Your petitioner, Madeline Uzzell, says to the Court that she is the same Madeline Uzzell who is the infant defendant in the above entitled cause, now pending in the Circuit Court of the County of Isle of Wight, Virginia, on the chancery side; that she is informed that there is in Bank of Smithfield, Smithfield, Virginia, the sum of $1173.14, arising from the sale of the property in the bill and proceedings of this suit mentioned, and adjudged to be her share from such sale; that the said sum is evidenced by a certificate of deposit, numbered 7637, bearing date the 31st. day of January, 1925, and bears interest at four per centum per annum, and is payable to A. S. Johnson, Special Commissioner; that she is of the age of seventeen years, having attained to that age on the 6th. day of December, 1924; that she is now residing with her sister, Dorothy Virginia Barrett, wife of M. T. Barrett, Jr., who lives in the town of Windsor, County of Isle of Wight, State of Virginia; that she is attending the High School in said town of Windsor; that she is without any property of any kind, character or description save and except the sum of money aforesaid; that she has no means of support; that she has been living with her said sister ever since the death of her father, about three years ago, and who has taken care of and clothed and fed her since that time; that she is in-

formed and believes that she is entitled to have the use and benefit of some part of the sum of money deposited, as aforesaid, in said Bank of Smithfield, to be used for her education, maintenance and support; that living in town and attending the said school, she needs to be decently and neatly clothed; that she believes that she should have paid to her, for such education, maintenance and support, at least the sum of four hundred dollars for the ensuing year, fifteen dollars of which she can pay her sister for board, that being a reasonable sum, and which her said sister is willing to receive for such board, per month; and the other fifteen dollars to be used for clothing.

Your petitioner states that her said sister is her only sister; that she has no brother; and that said sister would be, if she were dead, her only heir at law.

Your petitioner, therefore, prays that the said Dorothy Virginia Barrett be made a party defendant to this cause, who shall answer this petition, though not under oath, answer under oath being hereby expressly waived; that process issue against the said Dorothy Virginia Barrett; and that it be ordered and decreed by this honorable Court that out of the fund so deposited in the Bank of Smithfield, Smithfield, Virginia, she be paid the sum of four hundred dollars per annum, and to be paid in equal sums, that is to say, two hundred dollars semi-annually.

And youe petitioner will ever pray etc.

Madeline Uzzell

State of Virginia,
County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, State of Virginia, do hereby certify that Madeline Uzzell, whose name is signed to the foregoing petition, has this day personally appeared before me

in my said County, and made oath that the facts contained and stated in said petition, so far as made of her own knowledge, are true; and so far as made upon information obtained from others, she believes to be true.

Given under my hand this 17th. day of February, 1925.

C. Johnston
Commissioner in Chancery.

I have read the foregoing petition and understand the same; and, I, hereby, join in the prayer of said petition and give my consent to the payment, by the Circuit Court of the County of Isle of Wight, Virginia, of any sum of money it may deem expedient, to the said Madeline Uzzell, and at any time, whether it be a part of the sum pentioned in said petition, or all of it.

Respectfully,

Timothy W. Barnett.

Witness, L. T. Hubbard

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Virginia: Circuit Court
of Isle of Wight County.

R. A. Horne, etc.

v) Chancery. 429.

Uzzell's Administrator etc.

Petition of Madeline Uzzell

Filed March 2-1925

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. Horne who sues on behalf of himself and all other creditors of L. E. Uzzell, dec'd, who may come in and contribute as the case of this suit.....Complainant.

v). Chancery. No. 424

W. H. Chapman, sheriff, and as such, adm'r., of the estate of L. E. Uzzell, de'd., Bank of Zuni, Bank of Windsor, W. E. Garrison, Mrs. Madeline Uzzell, an infant under the age of twenty one years, and J. T. Godwin.....Defendants.

TO THE HON. B. D. WHITE, Judge of the said Court:

Your complainant complaining showeth unto the Court as follows, to-wit:

1. That on the 6th., day of January, 1922, L. E. Uzzell, now deceased, made, executed and delivered to one R. L. Crumpler, of the Town of Zuni, State of Virginia, his negotiable promissory note in the amount of sixty eight dollars and sixteen cents ($68.16), as will more fully appear from a copy of said note attached hereto, marked " Exhibit A " and prayed to be read as a part of this bill.

2. That on the 2nd., day of February, 1924, the said R. L. Crumpler, for value received and without recourse to him, endorsed and assigned the said note to your complainant, the said R. A. Horne.

3. That the said note was due and payable within sixty days from the day of its execution, and notice was given to and demand made on the said L. E. Uzzell, the maker of said, but the said L. E. Uzzell failed to pay said note, same now remaining past due and unpaid.

4. That Mary M. Uzzell, wife of the said L. E. Uzzell, by her will dated the 25th., day of September, 1919, and

entered of record in the Clerk's Office of the County of Isle of Wight, State of Virginia, on the 22nd., day of April, 1920, in W. B. 36, page 50, devised and bequeathed all of her estate, both real and personal, to the said L. E. Uzzell, her husband, for his natural life and at his death to her two beloved daughters, Dorothy Virginia Barrett and Madeline Uzzell, to them in fee simple, their heirs and assigns forever.

5. That at the time of the decease of the said Mary M. Uzzell she was seized in fee simple of a certain tract of land lying and being in the County of Isle of Wight, State of Virginia, containing ninety seven acres (97), more or less, and bounded by the lands of W. A. Cobb, G. T. Cobb, J. T. Landing, N. H. Johnson and the Wells Munford tract.

6. That the said Dorothy Virginia Barrett, one of the two said daughters and heir under the will of the said Mary M. Uzzell, and M. T. Barrett, her husband, by their deed bearing date the 1st., day of August, 1921, and entered of record in the Clerk's Office of the County of Isle of Wight, State of Virginia, in D. B. 91, page 571, for and in consideration of the sum of ten dollars, and other considerations deemed valuable in law, conveyed to the said L. E. Uzzell all of their right, title and interest in and to all of the real estate of which the said Mary M. Uzzell died siezed and possessed.

7. That the said L. E. Uzzell by his deed bearing date the 8th,, day of August, 1921, and entered of record in the Clerk's Office of the County of Isle of Wight, State of Virginia, in D. B. 91, page 611, conveyed all of his right, title and interest in and to the aforesaid 97 acre tract of land to W. E. Garrison, in trust, to secure to the Bank of Zuni and the Bank of Windsor, the payment of the sum of $1400, evidenced by two certain negotiable promissory notes, of even date therewith, and payable as follows, to-wit: the first in the amount of $700 and payable to

the Bank of Zuni, Zuni, Virginia, ninety days after date, and the second, also, in the amount of $700 and payable in ninety days to the Bank of Windsor, Windsor, Virginia.

8. That on the 19th., day of December, 1921, J. T. Godwin, one of the defendants to this bill and a resident of the County of Isle of Wight, State of Virginia, obtained before A. Lee Saunders, a Justice of the Peace for the County of Isle of Wight, State of Virginia, a judgement against the said L. E. Uzzell in the amount of fifty six dollars and sixteen cents ($56.16), with interest thereon from the 8th., day of December, 1921, until paid. Said judgement being subject to a payment of thirty five dollars and twenty five cents ($35.25), as of the 23rd., day of December, 1922, and is entered of record in the Clerk's Office of the County and State aforesaid in J. D. 4, page88.

9. That at the time of the execution of the said deed of trustby the said L. E. Uzzell and the rendition of the said judgement against him, he, the said L. E. Uzzell, was the owner of an undivided one half interest in the aforesaid 97 acre tract of land, same being conveyed to him by deed from Dorothy Virginia Barrett and M. T. Barrett, her husband, by their deed bearing date the 1st., day of August, 1921, and entered of record in the Clerk's of the County and State aforesaid in D. B. 91, page 571.

10. That sometime during the past year of 1923, the exact date of which your complainant is not informed, the said L. E. Uzzell departed this life a widower and intestate, and that at the time of his decease, your complainant so believes and avres it to be a fact, the only real estate owned by the said decedent was the hereinbefore set out one half undivided interest in and to the aforesaid 97 acre tract of land.

12. That the said note remains wholly unpaid and is a valid and subsisting lien upon the real estate of which the said L. E. Uzzell died seized and possessed; that your complainant is advised, and so believes and avers, that the said deed of trust and judge-

ment lien are wholly unpaid and exist as good and binding liens upon the aforesaid interest in the real estate of which the said I. E. Uzzell died seized and possessed of; that if there are any other liens upon the estate of which the said L. E. Uzzell died seized and possessed of your complainant is not advised nor informed as to by whom they are held, but your complainant so believes and avers it to be, that there are no ther liens, than those mentioned, upon the said interest in the real estate.

12. Your complainant avers that his note is a lien upon the interest of the said L. E. Uzzell in the undivided one half interest in the aforesaid tract of land; that the said real estate is, as your complainant believes, susceptible of partition in kind, among the parties entitled thereto; but, should the property not be divisable among them, complainant believes, and here states, that the interest of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole, or by an allotment of a part and a sale of the residue.

13. Complainant avers and chargesm further, that, should the said real estate be divided among the parties entitled thereto, the rents and profits arising from so much thereof as may be alloted to the estate of the said L. E. Uzzell, deceased, by such division, will not in five years satisfy the liens thereon and that complainant is, therefore, entitled to have the interest of him, the said L. E. Uzzell, which might arise from the said division of the property, sold to satisfy its own and other liens thereon; and that, if it should eventuate that the interests of those who are entitled to the said real estate will be promoted by a sale of the whole thereof, then your complainant is entitled to have the interest of the said L. E. Uzzell in the proceeds of the said sale applied to its lien and to the other liens thereon.

In tender consideration whereof, and forasmuch as your complainant is without remedy, save in a court of equity, where matters of this kind are alone and properly cognizable, and to the end that justice might be done, it prays that a guaridan

ad litem be appointed to represent and protect the interest of the said Madeline Uzzell, an infant under the age of twenty one years, and, as such, be required to answer same; that the Bank of Zuni, Bank of Windsor, J. T. Godwin, W. H. Chapman, and W. E. Garrison be made parties defendant to this bill and required to answer same, though not under oath, answer under oath being hereby expressly waived; that proper process issue; that all proper orders and accounts be directed and taken; that the liens creditors of the said L. E. Uzzell be ascertained and the amounts thereof and their order of priority of lein be established; that the said real estate, hereinbefore described, be divided between the parties entitled thereto, according to their respective rights; that, if the said real estate be divided among the parties entield thereto, and it should appear that the rents and profits of the interest therein of the said L. E. Uzzell arising from such division will not in five years pay the judgement and other liens which are liens upon the same, said interest of said L. E. Uzzell in said division, or so much thereof as will suffice to satisfy the liens thereon and costs of suit and sale, be sold and the proceeds thereof applied to the payment of the said costs and liens; that, if such rents and profits will suffice, the said land allotted to the estate of the said L. E. Uzzell by such division, be rented and the profits and rents arising thefefrom be applied to the payment of the said liens until they are fully satisfied; or, if the said real estate cannot be divided in kind and should be sold as a whole, that the interests of the said L. E. Uzzell in the proceeds thereof be applied to the said lines until they are fully satisfied, are satisfied as far as possible; that all sush further, general and other relief may be given in the premises is just and right.

And notice is hereby given that the Court will be asked to allows counsel for complainant a reasonable fee for services in prosecuting this suit.

And your complainant will ever pray, etc.

Johnson Stephens, f.c.

R. A. Horne.
Complainant.

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

R. A. Horne.....

v) Chancery. No. 429

W. H. Chapman et als.

Bill of Complaint.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

No.

Know all Men by These Presents: That we A. S. Johnson,

principal ,

and

Fidelity and Deposit Company Of Maryland, surety ,

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Two Thousand Dollars to the payment whereof well and truly to be made we bind ourselves and each of us, our and each of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

And as to this bond we hereby severally waive the benefit of our Homestead Exemption, and also any right, claim or privilege to discharge any liability arising hereunder to the said Commonwealth, or by virtue of the said office or trust for which this bond is given, with coupons detached from the bonds of this State.

IN TESTIMONY WHEREOF, the said A. S. Johnson, principal ,

has hereto set his hand and affixed his seal;

and the said Fidelity and Deposit Company surety ,

by R. A. Edwards, , its duly authorized

agent and attorney in fact, has caused its corporate name and seal to be hereunto affixed, the said seal to be attested

by the signature of the said R. A. Edwards , its said agent and attorney

in fact, this, the 23th day of October A. D. 1924

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound A. S. Johnson, who was by a Decree entered in the Circuit Court of the County of Isle Of Wight Virginia, on the 15th day of October 1924, in the Chancery cause of R. A. Horne..Vs. W. H. Chapman, Sheriff and as such the Administrator of the Estate of L. E. Castle, et als., docket No 429, appointed a Special Commissioner for the sale of the real estate therein mentioned;

shall faithfully discharge the duties of his office or trust as such Special Commissioner , then the above obligation to be void, or else to remain in full force and virtue.

A. S. Johnson [SEAL]

Fidelity and Deposit Company of Maryland

By R. A. Edwards
Attorney-in-Fact

By .....

Its duly authorized agent and attorney in fact.

Attest: R. A. Edwards

Agent and attorney in fact.

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 23th day of October 1924 this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

a copy Teste: R. A. Edwards, Clk
By E. Kay Wiles D. S.

R. A. Edwards Clerk.

8½

P. A. Howe

v 429

W. H. Chapman, Shf.

et al.

Copy of bond of Special Commissioner

Everett Waddey Co.,
Stationers and Printers.
Richmond, Va.

Form No. 310.—Clerk's Certificate that Commissioner has given bond.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight

R. A. Horne et als Plaintiff,

AGAINST

W. H. Tynan, Sheriff, &c. &c. Defendant.

I, N. A. Edwards, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 15th day of October, 1894 189 , has been duly given.

Given under my hand as Clerk of the said Court, this 23d day of October, 1894 189 .

N. A. Edwards. Clk.

8½ - a

R. A. Howe, who sues etc

vs Chy. No 429

W. H. Chapman, Sheriff etc

Certificate of Clerk of Election of Special Commissioners Bond

clerks office

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

R. A. Horne, who sues ~~on~~ behalf of himself + all other creditors of I. E. Uzzell, dec'd, who may come in & contribute to the cost of this suit, ... Complainant,

v). Chancery. No. 424

W. H. Chapman, Sheriff and as such adm'r., of the estate of L. E. Uzzell, dec'd., Bank of Zuni, Bank of Windsor, W. E. Garrison, Madeline Uzzell, an infant under the age of twenty one years, and J. T. Godwin..... Defendants.

It appearing ~~this Court~~ that Madeline Uzzell, one of the defendants herein, is an infant under the age of twnety one years, on the motion of R. A. Horne, the plaintiff, ~~the Court doth appoint~~ G. F. Whitley, a discreet and competent attorney at law, practicing in this Court is assigned as guardian ad litem to such infant defendant.

R. A. Edwards
Clerk.

3

Virginia: In the Clerks Office of the Circuit Court
of the County of Isle of Wight

R. A. Horne

v). Chancery No. 42.9

W. H. Chapman et als.

Appointment of guardian
ad litem.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

" Exhibit A ".

$68.16 Zuni, Va., Jan., 6th., 1922.

Sixty days after date I promise to pay to the order of R. L. CRUMPLER negotiable and payable without offset, at the

BANK OF ZUNI
Zuni, Va

Sixty eight dollars and sixteen cents ----------

for value received. And we, the makers and endorsers of this note, severally waive the benefit of our Homestead Exemption as to this debt. And we hereby authorize and empower R. A. Horne, J. T. Clayton, W. C. Andrew, at any time after the maturity of this note, to aconfess judgement against us, and either of us, before the Clerk of the Court of Isle of Wight County, Virginia, in his office, in favor of the legal holder for the amount then due upon the same, together with ten per cent attorney's fee, and to acknowledge service of all process necessary for such confession.

(Signed) L. E. UZZELL.

No.____ Due.____

R. A. Horne.

v.

W. H. Chapman, et als.

"Exhibit A."

Circuit Court of the County of Isle of Wight, State of Virginia

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

R. A. Horne who sues on behalf of himself & all other creditors of I. E. Uzzell, dec'd., who may come in & contribute to the costs of this suit. ..... Complainant.

v). Chancery. No. 429

W. H. Chapman, Smith and adm'r., of the estate of L. E. Uzzell, dec'd., J. T. Godwin, Madeline Uzzell, an infant under the age of twenty one years, Bank of Zuni, Bank of Windsor and W. E. Garrison, Trustee ..... Defendants.

Issue summons for the defendants to answer complainant a bill in chancery, to be filed at Second February Rules, 1924.

All of the defendants live in Isle of Wight County, State of Virginia.

Johnson & Stephens .p.q.

Dep. 7.50

1

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

R. A. Horne

vs Chancery. No. 429

W. H. Chapman et als.

Memorandum.

2-18-24 Filed.

Dfs. 7.50

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

Horne etc.

v) Chancery. _____

Uzzell's Administrator et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Special Commissioner, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel: and it appearing from said report that the said special commissioner has paid to Madeline Uzzell, the infant defendant in this cause, the sum of four hundred and seventy seven dollars and eighty five cents, together with interest which has accrued thereon amounting to three dollars and forty cents, aggregating the sum of four hundred and eighty one dollars and twenty five cents; in obedience to the decree entered herein on the 2nd. day of July, 1928, receipt of the said Madeline Uzzell being filed with the said commissioner's report; that the costs in this suit have been paid to dismissal as is shown by statement of the clerk, attached to the report of the said special commissioner; upon consideration whereof, it is adjudged, ordered and decreed that the said report be, and is, hereby, confirmed. And nothing further remaining to be done in this cause it is further adjudged, ordered and decreed that it be dismissed.

Virginia: Circuit Court
of Isle of Wight County.

Horne etc.

v(Chancery. 429

Uzzell's Administrator et. als.

Note for decree.

Enter this 21st day of July 1928.

8-457

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Horne, etc.

v) Chancery. 429.

Uzzell's administrator, et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the petition of Madeline Uzzell, and the report of A. S. Johnson, special commissioner, both of which have been, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel: And it appearing from said petition that the said Madeline Uzzell is over the age of twenty years, and from the said petition and report, that she is of sufficient discretion to handle the fund due her, under the control of the court in this suit; and it appearing from the report of the special commissioner, filed as aforesaid, that he had in his hands, upon the filing of his last report herein, and which was confirmed by decree entered on the 15th. day of September, 1927, the sum of $651.40; that since that time he has paid out the following items:

Taxes for the year 1927,	$ 1.50
To Madeline Uzzell, 4th. quarter, 1927,	62.50
To Madeline Uzzell, 1st. quarter, 1928.	62.50

That there has accrued interest on the balances in his hands as follows:

Balance in hand September 1st. 1927,	$651.40	
Interest to Oct. 1st. 1927,	2.17	$653.57
Paid to Madeline Uzzell Oct. 1st. 1927,		62.50
Balance in hand October 1st. 1927,		$593.07
In hand Oct. 1st. 1927, as shown above	$593.07	
Interest to December 15th. 1927,	4.94	$598.01
Paid 1927 taxes,		1.50
Balance left in hand December 15th. 1927,		596.51
Balance in hand December 15th. 1927, as shown above,	$596.51	
Interest to January 1st. 1928,	.99	$597.50
Paid to Madeline Uzzell Jan. 1st. 1928,		62.50
		$535.00
Balance left in hand Jan. 1st. 1928 as shown above,	$535.00	
Interest to April 1st. 1928,	5.35	$540.35
Paid to Madeline Uzzell April 1st. 1928.		62.50
Balance left in hand April 1st. 1928.		$477.85

Balance left in hand April 1st. 1928, as shown above, $477.85

That the balance in the hands of the special commissioner is less than five hundred dollars; upon consideration whereof it is adjudged, ordered and decreed that the said A. S. Johnson, special commissioner, to cash the certificate of deposit in the cause and out of the proceeds pay the costs of this suit up to an including the entry of a final decree, and the balance, he shall pay to the said Madeline Uzzell, taking her receipt therefor, and report to the court his doings hereunder, filing such receipt with his report.

And this cause is continued.

24

Virginia: Circuit Court
of Isle of Wight County.

Horne, etc.

v) Chancery. 429

Uzzell's admr. et als.

Note for decree.

Enter this July 2, 1928.

P. W.

8-455

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R. A. Horne, who sues, etc.

v) Chancery. 429.

Uzzell's Administrator et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Special Commissioner, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel:

And it appearing from the said report that the said Special Commissioner had deposited in Bank of Smithfield, to the credit of this cause, for Madeline Uzzell, the infant defendant, on January 31st. 1925, $1173.14; that interest to the amount of $7.82 was added thereto on April 8th., 1925; that as directed by the decree entered herein on the 2nd. day of March, 1925, the said Special Commissioner paid the said Madeline Uzzell, on April 8th. 1925, one hundred dollars; that interest on the balamce then left in bank of $1080.96, to July 1st. 1925, amounted to $9.18; that he paid to said Madeline Uzzell July 1st., 1925, $50.00; that interest on the balance then left in bank of $1040.14 to October 1st. 1925, amounted to $10.40; that he paid to said Madeline Uzzell on October 1st. 1925, $50.00; that interest on $1000.54, then left in bank, to January 1st. 1926, amounted to $10.00; that he paid to said Madeline Uzzell, on January 1st. 1926, $50.00; that interest on $960.54, then left in bank, to April 1st. 1926, amounted to $9.60; that he paid to said Madeline Uzzell, on April 1st. 1926, $50.00; that interest on $920.14, then left in bank, to July 1st., 1926, amounted to $9.20; that he paid to said Madeline Uzzell, on July 1st. 1926, $50.00; that interest on $879.34, the balance then left in bank, to October 1st. 1926, amounted to $8.79; that he paid to said Madeline Uzzell, on October 1st. 1926, $62.50, Clerk fees amounting to $2.10 and premium on bond of the Special Commissioner, amounting to $10.00; that interest on $813.53, the balance then left in bank, to January 1st. 1927, amounted to $8.13; that on January 1st. 1927, he paid to said Madeline Uzzell $62.50, and taxes amounting to 1.60; that interest on 757.56, the balance then

left in bank to April 1st. 1927, amounted to $7.57; that he paid to Madeline Uzzell, on April 1st. 1927, $62.50; that interest on $702.63, the balance left in bank then, to July 1st. 1927, amounted to $7.02; that he paid to Madeline Uzzell, on July 1st. 1927, $62.50; that interest on the balance then left in bank to September 1st. 1927, amounted to $4.25; that the balance left in bank September 1st. 1927, was $651.40; that vouchers for his disbursements prior to October 1st. 1926 are filed with his report submitted September 27th. 1926, and vouchers for his disbursements since that time are filed with his report this day submitted and herein referred to; that he has not paid anything on account of the tuition of Madeline Uzzell, for a course offered her by Norfolk College, because the service promised appears not to have been rendered; that Bank of Smithfield cannot promise to continue payment of interest on the fund deposited therein, on account of the present financial condition, but that it will pay interest at prevailing rates so long as said fund or any part thereof remains deposited in said Bank: On considera ion whereof, it is adjudged, ordered and decreed that the said report be, and is, hereby, confirmed:

And it is further adjudged ordered and decreed that the said Special Commissioner pay the accrued costs in this suit, and that the penalty of his bond be reduced to seven hundred and fifty dollars.

From the funds still left in Bank of Smithfield, the said Special Commissioner will continue to pay to said Madeline Uzzell $62.50 quarterly, till the further order of this court, and collect from Bank of Smithfield, upon the balances left therein, interest at the prevailing rates, and make acc unting therefor in his next report.

Virginia: Circuit Court
of Isle of Wight County.

Horne, etc.

v) Chancery. 429.

Uzzell's Admr. et als.

Note for decree.

To be entered Sept 15 1927.
R.T.C.

Chancery Order Book 8
Page 401

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VIR

Horne etc

v) Chancery. 429.

Uzzell's Administrator et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Special Commissioner in this cause, this day, by leave of Court, filed, and to which there is no exception, and upon the petition of Madeline Uzzell, the infant defendant herein, this day, by leave of court, also filed, and was argued by counsel:

And it appearing from the said report of the special commissioner that he has paid to the said Madeline Uzzell, for her maintenance and support, since the order entered herein on the 2nd. day of March, 1925, three hundred and fifty dollars, receipts for which is filed with said report; that the said Madline Uzzell has now attained to the age of eighteen years, and wishes to take a business course to equip her for making a livelihood; that she can take such a course, at home, from the Norfolk College; that the cost of such a course will be one hundred and forty dollars, with additional cost for books of five dollars; that from the petition of said Madeline Uzzell, this day filed, and also from the report of said special commissioner, that she requests fifty dollars more a year to be advanced to her for her maintenance and support, all of which seems reasonable, upon consideration whereof the Court doth adjudge, order and decree that the report of the said special commissioner, as to the advances he has made to the said Madeline Uzzell, be, and it is, hereby, confirmed: and it is further adjudged, ordered and decreed that the said special commissioner pay to the Norfolk College the tuition for said Madeline Uzzell, to take the course she desires ~~to take~~, costing not to exceed one hundred and forty dol-

lars, and for books and stationery required in such course not to exceed five dollars; and that he advance to the said Madeline Uzzell, from now until the further order of this Court, sixty two dollars and a half, quarterly, instead of fifty dollars, as heretofore, to be used by her for her maintenance and support.

The said special commissioner shall pay the costs of this cause up to and including the entry of this decree, and make report to the court, as soon as practicable, showing the balance in his hands as such, with a detailed statement of his expenditures herein.

And this cause is continued.

19

Virginia:
Circuit Court,
Isle of Wight County.

Horne etc.

v) Chancery. 429.

Uzzell's Administrator
et als.

Note for decree.

Enter this 7th Sept. 1926.

B.W.W.

Book 8
page 540

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R A. Horne, etc.

v) Chancery. 429.

L. E. Uzzell's Administrator et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, special commissioner, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel:

And it appearing from said report that the said special commissioner, out of the fund received by him as purchase price for the tract of land in the bill and proceedings of this suit mentioned has paid the following items of costs, and has distributed the residue as hereinafter set out, to-wit:

T. R. A. Edwards, County Clerk, delinquent tax for 1922,	$ 63.45
To R. A. Edwards, County Clerk, delinquent tax for 1923,	59.38
To W. E. Laine, County Treasurer, 1924 State and County tax	61.69
R. A. Edwards, Clerk, fee for collection of del. tax,	.50
R. A. Edwards, Clerk, writ tax on suit,	1.50
Johnson & Stephens, attorneys, taxed attorney fee,	15.00
R. A. Edwards, Clerk, clerk fees,	12.20
R. A. Edwards, commissioner in chancery, report,	20.00
R. A. Edwards, agent, premium on special commissioner's bond	10.00
F. L. Wilson, crying land at sale,	5.00
Johnson & Stephens, counsel fee allowed by court,	75.00
Johnson & Stephens, drawing special commissioner's deed,	10.00
Johnson & Stephens, tax stamps on special com'r's deed	3.00
Johnson & Stephens, amount paid for sale notices,	3.00
A. S. Johnson, special commissioner's commission on sale,	64.00
Bank of Windsor, its share from proceeds of sale,	586.57
Bank of Zuni, its share from proceeds of sale,	586.57

Deposited in Bank of Smithfield for the infant defendant, Madeline Uzzell, 1173.14

Aggregating,..... 2750.00;

that the said special commissioner has filed with his report vouchers for his disbursements; that he took from Bank of Smithfield a certificate of deposit for the share of the infant defendant, Madeline Uzzell, which bore date the 31st. day of January, 1925; that the said certificate has been, as directed by decree entered herein on the 2nd. day of March, 1925, surrendered and put the amount evidenced by said certificate, in said Bank of Smithfield, on checking account, but which still bears interest at the rate of four per centum per annum; that he has checked upon said fund for one hundred dollars and has paid the same to the said Madeline Uzzell, as shown by her reipt attached to the said report, the said sum covering the first two installments directed to be paid to her, the said Madeline Uzzell, as directed by the said decree of March 2nd. 1925: it is adjudged, ordered and decreed that the said report be, and is, hereby, confirmed.

And it is further adjudged, ordered and decreed that the penalty of the bond of said special commissioner be reduced to twelve hundred and fifty dollars.

This cause is continued.

16

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

R. A. Horne, who sues etc.,

v). Chancery. No. 429.

Uzzell's Administrator et als.

Note for decree.

Enter this: 1925 Apr 24 Entered 12 54

Book 8 page 274

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

R. A. Horne, etc.

v) Chancery. 429.

Uzzell's administrator et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the petition of Madeline Uzzell, the infant defendant, in this cause, this day, by leave of court, filed, and was argued by counsel:

And it appearing from said petition that the said Madeline Uzzell is of the age of seventeen years, having attained to that age on the 6th. day of December, 1924; that she resides in the town of Windsor, County of Isle of Wight, State of Virginia, with her sister, Dorothy Barrett and the husband of the latter, M. T.Barrett, Jr; that she is attending the Windsor High School; that she is without any property of any kind, character or description save the sum of money arising out of the sale of the real estate in the bill and proceedings of this suit mentioned; that she is without any means of support; that the said Dorothy Barrett would be entitled to the said sum of money, if the said Madeline Uzzell was dead; that the said Dorothy Barrett has joined in said petition: On Consideration Whereof It is adjudged, ordered and decreed that the said Madeline Uzzell be paid, out of the fund now on deposit in the Bank of Smithfield, to the credit of this cause, by A. S. Johnson, special commissioner in this suit, the sum of two hundred dollars during the year 1925, in installments of fifty dollars each, fifty dollars to be paid at once, fifty dollars to be paid in the month of April; fifty dollars in the month of July and fifty dollars in the month of September, taking the receipt of the said Madeline Uzzell therefor, which shall be filed with his report of such payments, as they are made.

And it further appearing to the court that the sum in the

hands of the said special commissioner is $1173.14, it is further adjudged, ordered and decreed that his bond as such be reduced, in penalty, to the sum of twelve hundred and fifty dollars.

And this cause is continued.

14

Virginia: Circuit Court of
Isle of Wight County.

Horne etc.

v) Chancery. 429.

Uzzell's administrator et als.

Note for decree.

Enter this March 2nd.

1925.

B. D. W.

Book 8
page 263

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. Horne, who sues etc.,

v). Chancery. No, 429.

W. H. Chapman, Sheriff and as such adm'r., of the estate of L. E. Uzzell, dec'd., et als.

This cause came again on this day to be heard upon the papers formerly read, and upon the report of A. S. Johnson, Special Commissioner, this day, by leave of the court,, filed, to which there was no exception, and was argued by counsel:

And it appearing to the court, from the said report, that the said special commissioner has collected from the said John T. Carr, the purchaser of the tract of land in the bill and proceedings mentioned, the full sum of twenty seven hundred and fifty dollars, it being the full amount of the purchase price of the said tract of land, and has executed and delivered to John T. Carr a deed, with covenants of special warranty, conveying to ~~them~~ him the said tract of land in the bill and proceedings mentioned: Upon consideration whereof, it is adjudged, ordered and decreed that the said report be, and the same is, hereby, confirmed; and, the court doth further adjudge, order and decree that the said special commissioner, out of the funds in his hands, shall pay, first, all delinquent taxes on the said tract of land; the costs of this suit up to and including the entry of a final decree, including a counsel fee of $75.00 to Johnson and Stephens, counsel for conducting this suit; and the balance then remaining in his hands he shall divide into two equal parts, one part of which he shall place in the Bank of Smithfield, Smithfield, Virginia, on an interest bearing certificate of deposit, payable in the order to the order of the Circuit Court of the County of Isle of Wight, State of Virginia, for the share of Madeline Uzzell, an infant; and, the remaining share he shall

use in the payment of the liens against the shares of L. E. Uzzell, according to their priorities, as shown by the report of the Commissioner in Chancery filed in the cause, and the balance that may remain after satisfying these liens, if any there be, he shall pay to W. H. Chapman, administrator of the estate of the said L. E. Uzzell. And the said special commissioner shall report to the court his acts hereunder.

And this cause is continued.

12

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

R. A. Horne, who sues etc.,

v). Chancery. No. 429.

W. H. Chapman, Sheriff and as such adm'r., estate of L. E. Uzzell, dec'd. et als.

Note for decree.

Enter this:

Book 8
P. 257

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. Horne, who sues etc.,

v). Chancery No. 429.

W. H. Chapman, sheriff and as such adm'r.,
of the Esate of L. E. Uzzell, dec'd., et als.

This cause came again on this day to be heard upon the papers formerly read and upon the report of A. S. Johnson, Special Commissioner, this day, by leave of the court, filed, to which there was no exception, and was argued by counsel:

And it appearing to the court, from the said report, that the said special commissioner did, on the 14th., day of November, 1924, at 12 o'clock noon, in the front of the Clerk's Office of the Circuit Court of the County of Isle of Wight, State of Virginia, offer for sale the tract of land in the bill and proceedings mentioned, after advertising the time, place and terms thereof in accordance with the directions contained in a certain decree entere in this cause on the 15th., day of October, 1924, for cash, to the highest bidder, at which sale John T. Carr, of the County and State aforesaid, became the last and highest bidder, having bid the full sum of twenty seven hundred and fifty dollars: On consideration whereof it is adjudged, ordered and decreed that the said report be, and the same is, hereby, confirmed; and the court doth further adjudge, order and decree that the said special commissioner collect from the said John T. Carr the sum of twenty seven hundred and fifty dollars, and execute to him a deed, with covenants of special warranty, conveying to him the tract of land in the bill and proceedings mentioned, and report his acts hereunder to the court.

And this cause is continued.

10

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

R. A. Horne, who sues etc.,

v). Chancery. No. 429.

W. H. Chapman, Shf., and as such adm'r., estate L. E. Uzzell, dec'd., et als.

Note for Decree.
June 1935

Enter this:

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. HORNE, who sues on behalf of himself and all other creditors of L. E. Uzzell, dec'd., who may come in and contribute to the costs of this suit.

V)/ Chancery. No. 429.

W. H. Chapman, Sheriff and as such adm'r., of the estate of L. E. Uzzell, dec'd., Bank of Zuni, Bank of Windsor, Madeline Uzzell, an infant under the age of twenty one years, and J. T. Godwin.

This cause came again on this day to be heard upon the papers formerly read, and upon the report of R. A. Edwards, Commissioner in Chancery, filed on the 20th day of June, 1924, to which there was no exception, and was argued by counsel:

And it appearing to the court, from the said report, that at the death of L. E. Uzzell he was seized and possessed, in fee simple, of an undivided one half interest in a certain tract of land situate in the County of Isle of Wight, State of Virginia, containing 97 acres, more or less, and bounded by the lands of W. A. Cobb et als; that the said L. E. Uzzell was possessed of no personal property at his death; that he died intestate; that neither the whole of the said tract or land, nor any distinct or independent part thereof, is susceptible of being partitioned among the parties entitled to share thereto; and that the interests of all parties will be promoted by a sale of the entire tract of land and a division of the proceeds; that should the said tract of land be allotted and assigned, in kind, to the parties entitled thereto, that the portion or pat allotted or assigned to the estate of the said L. E. Uzzell, will not, if rented out for five years, be sufficient to satisfy the liens thereon; that there are liens for delinquent taxes against this entire tract of land for the years 1922 and 1923, aggregating, approximately, one hundred and twenty

dollars; a lien of a certain deed of trust on the interest of the said L. E. Uzzell, dated the 8th., day of August, 1921, to secure the sum of $1400.00, with interest from date until paid, $700.00 of the amount so secured being due the Bank of Zuni, Zuni, Isle of Wight County, Virginia, and the balance, $700.00, being due the Bank of Windsor, Windsor, County and State aforesaid; and, a lien of a certain judgement, against the said L. E. Uzzell, dated the 19th., day of December, 1921, obtained by J. T. Godwin, for the principal sum of $56.16, with interest thereon from date of judgement until paid, with $3.80 costs, subject to a credit of $35.25 as of the 23rd., day of December, 1923; that all the proper parties are before the court:

On consideration whereof it is adjudged, ordered and decreed that the said report be, and the same is, hereby, confirmed; and the court doth further adjudge, order and decree that A. S. Johnson, who is hereby appointed Special Commissioner for that purpose, shall offer for sale, at public auction, to the highest bidder, the land in the bill and proceedings mentioned, after advertising the time and place of the sale, by written or printed posters, posted in ten or more public places in the said County of Isle of Wight, State of Virginia, for, at least, ten days prior to the day of the sale, ~~and upon the following terms, to-wit: one-third~~ for cash, ~~and the residue in two equal installments, payable respectively in twelve and twenty four months from the date thereof, the credit installments to be evidenced by the bonds of the purchaser, bearing interest at the rate of six per centum per annum from date, payable annually, and the tile of the property to be retained until the whole of the purchase price shall have been paid, and a conveyance directed by the court; and~~, the purchaser, or purchasers, shall deposit ten per cent of the purchase price with the said special commissioner at the time of the sale, which deposit shall be forfeited to this cause in event that the purchaser, or purchasers,

shall not, within ten days from the date of the said sale, fully comply with the terms thereof; and, unless the purchaser, or purchasers, shall make the said deposit at the time of the said sale, then the special commissioner shall, forthwith, at the same time and place, proceed to sell the property upon the same terms. The purchaser, or purchasers, at the said sale, if he, or they, so elect, shall be allowed to pay the full purchase price at the time of the sale.* But the said special commissioner shall do no act under this decree until he shall have entered into a bond, conditioned as the law directs, in the penalty of the full sum of $2000.00 conditioned upon the faithful discharge of his duties hereunder, and under any future decree entered in this cause.

And this cause is continued.

*upon the event that the purchaser shall not pay cash for said property, then the confirmment thereon shall be issued for at least three fourths of the value and the terms of payment shall be assigned said Special Commissioner as additional security for the deferred payments.

8.

Virginia: In the Circuit Court of the County ofmIsle of Wight.

R. A.Horne, who sues etc.,

v). Chancery. No. 429.

W. H. Chapman,. Sheriff and admʳr., etc.

Note for decree.

Enter this:

1925 Oct 15: BDW.

Book 8 page 230

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

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

R. A. Horne, who sues on behalf of himself and all other creditors of L. E. Uzzell, dec'd, who may come in and contribute to the costs of the suit

v) Chancery. No. 429.

W. H. Chapman, Sheriff, and as such administrator of the estate of L. E. Uzzell, deceased; Bank of Windsor, W. E. Garrison, trustee; Madeline Uzzell, and infant under the age of twenty one years, Bank of Zuni, and J. T. Godwin.

This cause came on this day to be heard upon the bill of complaint, taken for confessed as to W. H. Chapman, Sheriff and as such administrator of the estate of L. E. Uzzell, deceased: Bank of Zuni, Bank of Windsor, W. E. Garrison, trustee, and J. T. Godwin, upon whom process has been duly served, they still failing to appear, plead, demur or answer, and upon the answer of Madeline Uzzell, by George F. Whitley, her guardian ad litem, a discreet and competent attorney at law, practicing in this court, duly assigned at rules,, and upon the answer of the said guardian ad litem, this day, by leave of court, filed, and upon the general replications to said answers, 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. Of what real estate, or interest therein, the said L. E. Uzzell was entitled, at the time of his death, and also if he died siezed and possessed of any personal estate, and where such real estate and personal estate, if any, is or what disposition has been made of it.

2. Whether or not the said L. E. Uzzell died testate

or intestate.

3. Whether or not the real estate mentioned in the bill is susceptible of partition among the parties entitled thereto, and if not susceptible of partition among the parties entitled thereto, conveniently, and in its entirety, or any distinct or independent portion thereof, to advantage, and if it cannot be so conveniently, and with advantage, partitioned, whether or not the interests of the parties entitled to the same will be promoted by a sale of the whole, or of some distinct and independent part thereof.

4. Whether or not, should the property be divided among the parties entitled thereto, that the part of the same allotted and assigned to the estate of said L. E. Uzzell will, if rented out for five years, satisfy the liens standing against his interest in said real estate, and his proportionate share of the costs of this suit.

5. An account of all lien indentedness against the said property, as well as against the interest of any party therein, whether created by the party in interest, or otherwise, together with their priorities.

6. Whether or not all the proper parties are properly before the court.

7. Any other matter specially stated, deemed pertinent by the commissioner, or required to be stated by any party in interest.

6

Virginia: Circuit Court of the County of Isle of Wight.

R. A. Horne

v(Chancery. No. 429.

E. E. Uzzell's estate etc

Note for decree.

Enter this Apr. 3rd. 1924.

Book 8
page 195
&c

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT, C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

I hereby acknowledge having received of A. S. Johnson, Special Commissioner in the suit of Horne, etc. v. Uzzell's administrator, etc. pending in the Circuit Court of the County of Isle of Wight, in the State of Virginia, four hundred and eighty one dollars and twenty five cents, it being the balance due to me as shown by the report of the said special commissioner, filedin said suit.

Madeline Uzzell.

July 5th. 1928.

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

Horne etc.

v) Chancery. _____

Uzzell's admr. et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, in the State of Virginia.

The undersigned, special commissioner in the above entitled cause, pending in this court, respectfully reports that he haspaid to Madeline Uzzell, the infant defendant, the sum of four hundred and eighty one dollars and twenty five cents, it being the balance of four hundred and seventy seven dollars and eighty five cents, shown to be due by his report filed herein on the 2nd. day of July, 1928, confirmed by decree entered on the same day of the filing of said report, and which decree directed payment of said sum to the said Madeline Uzzell, together with accumulated interest thereon amounting to three dollars and forty cents, aggregating four hundred and eighty one dollars and twenty five cents. The said Madeline Uzzell has paid the accrued costs in said suit, which is attested by statement of the clerk at the foot hereof.

Respectfully submitted,

E. Thuson

Special Commissioner

The costs in this suit, to dismissal, have been paid.

R. A. Edwards, Clerk.

Virginia: Circuit Court of Isle of Wight County.

Horne, etc.

v) Chancery. 429

Uzzell's Administrator et als.

Report of special commissioner.

Filed July 26, 1928.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

A. S. JOHNSON

A. E. S. STEPHENS

LAW OFFICES

JOHNSON AND STEPHENS

SMITHFIELD, VIRGINIA

July 13th. 1928.

Mr. R. A. Edwards, Clerk,
Isle of Wight,
Virginia.

Dear Gus: re-Horne etc. v. Uzzell et als.

Herewith is enclosed report of special commissioner, and decree confirming same, and dismissing suit in the above matter. Be pleased to file with the papers, which are in your office, for the action of the judge when he again comes.

You will note by decree entered on the 15th. of September, 1927, the bond of the special commissioner in this suit was reduced to seven hundred and fifty dollars. It is my impression, how gained I cannot say, that the annual premoum on a bond of less than a thousand dollars is only five dollars. The last payment I made to you, covered by the report and decree just sent herewith, was ten dollars. I had overlooked, when I sent you check, the fact that the bond had been reduced. Of course you will get proper refund, if one is coming, and let us have check therefor.

Note that in the report I have stated that all the money has been turned over to Madeline Uzzell, which she has receipted for. This wuld make it appear that she had paid the costs, and as I have filed no voucher therefor, will you please sign the statement at the foot of the report showing that the costs have been paid? Thank you.

You can let us hear from you about the bond premium at your convenience.

Most sincerely yours,

A. S. Johnson

$62.50 October 1st. 1927.

Received of A. E. Johnson, Special Commissioner in the suit of Horne, etc. v. Uzzell's Administrator et als., the sum of sixty two dollars and fifty cents, it being for my allowance, directed by the Court, for the fourth quarter of the year 1927.

Madeline Uzzell.

M. G. L. Johnson & Co.

Hattie V. Hazzell

TAXES AND LEVIES, 1927

HARDY DISTRICT

Land.....Page.....Line.....

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To W. E. Laine, Treasurer of Isle of Wight County, Virginia, Dr.

No. 634

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy	$ .85
County School Levy	.65
County Road Levy	.40
District School Levy	1.00
District Road Levy	.55
Poor Levy	.05
Total	$ 3.50

	Valuation	Rate of State Tax on $100	State Tax	Rate of Local Levies on $100	Local Levies	Total Tax and Levies
Real Estate.....Acres	$	NONE	$ NO NE	$ 3 50	$	$
Real Estate.....Acres		NONE	NO NE	3 50		
Real Estate.....Acres		NONE	NO NE	3 50		
Tangible Property		NONE	NO NE	3 50		
Class 1 (Bonds, Notes and other evidences of debt).....Value $		.50		NO NE	NO NE	
Class 2 (Capital)		.85		NO NE	NO NE	
Class 4 (Money)	750	.20	150	NO NE	NO NE	
Class 5 (Shares of Stock) Value $		.50		NO NE	NO NE	
Class 6 (Bonds of Counties, Cities and Towns of this State)		.35		NO NE	NO NE	
Income.....{1½% on first $3,000 / 2½% on next $2,000 / 3% on balance}				NO NE	NO NE	
Stock Mdse.		NONE	NO NE		.30	
Machinery and Tools		NONE	NO NE		.50	
State Poll (or Capitation) Tax			~~1 50~~	NO NE		~~1 50~~
Total Taxes and Levies			$ 150		$	$ 150

RECEIVED PAYMENT DEC 15 1927 W. E. LAINE, TREAS. By

CREDITS

Date	Account	Amount
		$

Received payment.....

Five Per Cent. Penalty.....

Total Taxes, Levies and Penalty.....$

Treasurer

Received of Johnson and Stephens the sum of sixty two dollars and fifty ($62.50) cents in full payment for the payment due me January 1st., 1928.

Dated this the 3rd., day of January, 1928.,

Madeline Uzzell

Smithfield, Virginia. Apr., 9th., 1928.

Received of A. S. Johnson, Special Commission, the sum of sixty two dollars and fifty cents ($62.50), in full settlement for my allowance due on the 1st., day of April, 1928.

Dtated this the 9th., day of April, 1928.

Madeline Uzzell.

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

R. A. Horne

v) Chancery. 429.

Uzzell's Administrator et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, Virginia.

The undersigned, special commissioner, respectfully reports to the court that since the filing of the last report in this cause, on September 15th. 1927, which was confirmed by decree entered on the same date, and which then showed a balance in his hands due to the infant defendant, Madeline Uzzell, of $651.40, that he has paid out the following sums:

Taxes for the year 1927,	$ 1.50
To Madeline Uzzell, fourth quarter, 1927,	62.50
To Madeline Uzzell, first quarter, 1928,	62.50
To Madeline Uzzell, second quarter, 1928,	62.50

That statement of interest which accrued on the said balance, and his payments therefrom here follow:

Balance in hand September 1st. 1927,	$651.40	
Interest to October 1st. 1927	2.17	$653.57
Paid to Madeline Uzzell October 1st. 1927,		62.50
		$593.07
Balance in hand October 1st. 1927,	$593.07	
Interest to December 15th. 1927,	4.94	$598.01
Paid 1927 taxes,		1.50
		$596.51
Balance left in hand December 15th. 1927,	$596.51	
Interest to January 1st. 1928,	.99	$597.50
Paid to Madeline Uzzell January 1st. 1928		62.50
		$535.00
Balance left in hand January 1st. 1928,	$535.00	
Interest to April 1st. 1928,	5.35	$540.35
Paid to Madeline Uzzell April 1st. 1928,		62.50
		$477.85

Balance in the hands of the special commissioner
as of April 1st. 1928, $477.85

The defendant, Madeline Uzzell, is past twenty years of age as appears by her petition filed, which asks that the whole of the money remaining be paid to her in a lump sum, as is provided for by Section 5343 of the Code of Virginia. Your commissioner believes that she is as capable, at this time, to handle the money as she will be one, two, three, four or five years hence, and he recommends that it be paid over to her. The cost of bond premium and clerk's fees, and other costs will amount to more than the income from the fund; the income, if nothing had to come out, is not sufficient to be of any great good, and there seems no good reason to hold on with it longer.

Respectfully submitted,

C. Johnson

Special Commissioner.

23

Virginia: Circuit Court of Isle of Wight County.

Horne etc.

v) Chancery. 429.

Ushell's administrator et els.

Report of special commissioner.

Filed July 2, 1928.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

No. ●

Smithfield, Va., December 1926

Pay to the order of W. E. Lane & Bro $1.60

One & 60/100 Dollars

For 1926 tax Home & Hazel

To the Bank of Smithfield, Smithfield, Va.

5
68-233

W. E. Lane & Bro

Home & Hazel

Pay Bank of Smithfield,
Smithfield, Va. or Order
W. E. Laine, Treasurer.

No. ____

B of S

Smithfield, Va., Sept 30 1926

Pay to the order of R. A. Edwards agent $10.00

Ten 00/100 Dollars

For bond premium

To the Bank of Smithfield, Smithfield, Va.

5
68-233

R. F. Timms. Special Commissioner
Commissioner in Chancery

Pay to the Order of

BANK OF SMITHFIELD

SMITHFIELD, VA.

R. A. EDWARDS, Clerk of Court

ISLE OF WIGHT COUNTY

No. ____

Smithfield, Va., Dept 30 1926

Pay to the order of R. A. Edwards. Clk $2.10

— Two — 10/100 — Dollars

For Clk fee in Horne v Uzzell

To the Bank of Smithfield, Smithfield, Va.

5
68-233

A. T. Bynum, Special Commissioner
Horne ex v Uzzell et al

Pay to the Order of
BANK OF SMITHFIELD
SMITHFIELD, VA.
R. A. EDWARDS, Clerk of Court
ISLE OF WIGHT COUNTY

No. ●

B of S

Pay to the order of Madison Hyzer

Smithfield, Va., Dept 3c 1926

$62.50

Sixty two 50/100 Dollars

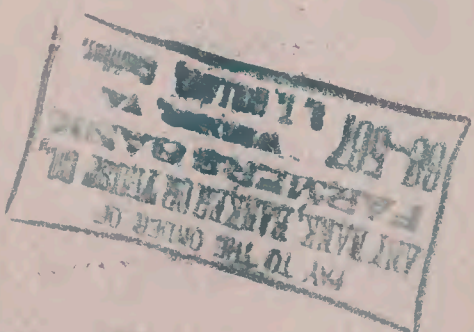
For allowance ordered by Court for 3rd yr 1926

To the Bank of Smithfield, Smithfield, Va.

5
68-233

E. Johnson, Special Commissioner
Comm. Ex. v. Hyzer et al

Madeline Uzzell.



OCT 5 1926

National Bank of Comm
-36 of Norfolk, Va. 68-3
. E. WHARTON, Cashie

Received of A. S. Johnson, Special Commissioner in the suit of Horne, etc. v. Uzzell's administrator et als. the sum of sixty two dollars and fifty cents, it being allowance made by the Court for the first quarter of 1927.

Madeline Uzzell.

Received of A. G. Johnson, Special Commissioner in the suit of Horne, etc. v. Uzzell's Administrator et als, the sum of sixty two dollars and fifty cents, it being allowance made to me by the Circuit Court of the County of Isle of Wight, Cir inia, in the suit aforesaid, for Second Quarter of 1927.

Madeline Uzzell.

$62.50 July 1st. 1927.

Received of A. S. Johnson, Special Commissioner in the suit of Horne, etc. v. Uzzell, et als, pending in the Circuit Court of the County of Isle of Wight, State of Virginia, the sum of sixty two dollars and fifty cents, it being allowance made to me by said Circuit Court for the third quarter of the year 1927.

Madeline Uzzell.

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

R. A. Horne, who sues, etc.

v) Chancery. 429.

Uzzell's Administrator et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of Isle of Wight, Virginia.

The undersigned, Special Commissioner in this cause, respectfully reports to the Court that, as shown by the report filed herein on the 24, day of April, 1925, confirmed by decree entered on the same date, there remained a balance in his hands of $1173.14, belonging to the infant defendant, Madeline Uzzell, and that interest had accrued thereon, amounting to $7.82, which was added to the principal sum, aggregating $1180.96: that on the 8th. day of April, 1925, he paid to the said Madeline Uzzell one hundred dollars, as directed by decree entered on the 2nd. day of March, 1925, leaving a balance of $1080.96 in his hands as of April 8th. 1925: that he has disbursed from said fund, as directed by the decree of March 2nd. 1925, and by decree of 7th. of September, 1926, as follows, beginning with the balance of $1173.14, deposited in Bank of Smithfield as of the 31st. day of January, 1925:

Amount in Bank Jan. 31st. 1925,	$ 1173.14
Interest to April 8th. 1925,	7.82
	1180.96
Withdrawn for Madeline Uzzell,	100.00
Balance left in Bank April 8th. 1925,	1080.96
Interest to July 1st. 1925,	9.18
	1090.14
Withdrawn for Madeline Uzzell,	50.00
Balance left in Bank July 1st. 1925,	1040.14
Interest to October 1st. 1925,	10.40

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

		1050.54
Withdrawn for Madeline Uzzell,		50.00
Balance left in Bank October 1st. 1925,		1000.54
Interest to January 1st. 1926,		10.00
		1010.54
Withdrawn for Madeline Uzzell,		50.00
Balance left in Bank January 1st. 1926,		960.54
Interest to April 1st. 1926,		9.60
		970.14
Withdrawn for Madeline Uzzell,		50.00
Balance left in bank April 1st. 1926,		920.14
Interest to July 1st. 1926,		9.20
		929.34
Withdrawn for Madeline Uzzell,		50.00
Balance left in bank July 1st. 1926,		879.34
Interest to October 1st. 1926,		8.79
		888.13
Withdrawn for Madeline Uzzell,	62.50	
Clerk's fees paid,	2.10	
Premium paid on bond of special commissioner	10.00	74.60
Balance left in bank October 1st. 1926,		813.53
Interest to January 1st. 1927,		8.13
		821.66
Withdrawn to pay taxes,	1.60	
Withdrawn for Madeline Uzzell,	62.50	64.10
Balance left in bank January 1st. 1927,		757.56
Interest to April 1st. 1927,		7.57
		765.13
Withdrawn for Madeline Uzzell		62.50
Balance left in bank April 1st. 1927,		702.63
Interest to July 1st. 1927,		7.02
		709.65
Withdrawn for Madeline Uzzell,		62.50
Balance left in bank July 1st. 1927,		647.15

Interest to September 1st. 1927,		4.25
Balance left in bank September 1st. 1927,		$651.40

Summary

Principal in bank January 31st. 1925,	$1173.14	
Interest added thereto,	91.96	
	1265.10	1265.10
Paid to Madeline Uzzell	600.00	
Paid costs in suit,	12.10	
Paid taxes,	1.60	
	613.70	613.70
		$ 651.40

The Special Commissioner is entitled to two per cent commission on $56.20, interest collected, amounting to $1.12, and to five per cent on $35.76, interest collected, amounting to $1.78

There are costs in the suit due and which should be paid.

Vouchers for disbursements made prior to October 1st. 1926 are filed with the report of September 27th. 1926, and from that time to the present are attached to this report.

By decree entered on the 7th. day of September, 1926 the Special Commissioner was directed to pay tuition of Madeline Uzzell, at Norfolk College, not to exceed one hundred and forty dollars, for a business course. She reports that she was visited by a representative of the College, and given books, and that she took just a few lessons, when the visits were discontinued, and that no attention has been paid to her since that time. A request to make the payment provided for, to the Norfolk College, has been received from the Norfolk College, but inasmuch as the services which Madeline Uzzell says were promised have not been rendered, payment was refused and nothing has been paid out on that account.

The Bank of Smithfield, in which the fund is deposited, cannot, on account of the present financial conditions, promise to continue payment of interest at the rate of four per cent. Some interest will be paid at whatever the prevailing rates may be, until the fund is exhausted.

Respectfully submitted,

S
Special Commissioner

20

Virginia: Circuit Court of Isle of Wight County.

Horne, etc.

v) Chancery. 429.

Uzzell's Adr. et als.

Report of Special Commissioner.

Filed, 15th Sept, 1927.

LAW OFFICES
JOHNSON AND STEPHENS
SMITHFIELD, VIRGINIA

The Linden Printing Company, Hartford, Connecticut