

1933-007 Chancery Causes: Charles T. Munford vs Jennie Munford vs al
Dist of Wight County

Folder 1
390

other surnames: Gay, Rowell,
Mountford, Ramsey, Bradshaw,
Johnson, Bennett, Butler, Eley,
Bowden, Wixon, Parrish, Tucker
Parish, Mountford, Faircloth

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

Munford's heirs

v) Chancery. No. 390. Proceedings at rules.

Munford's heirs.

July 20th. 1922: Second July Rules: Bill filed; process returned executed on Jennie Munford, Vivian Bennett, Geo. Johnson, Annie Bradshaw, H. M. Johnson, Theodosia Butler, Bernice Rowell, Clio Lee Wixon and Chas. T. Munford, administrator of N. B. H. Munford, deceased: decree nisi as to them. Continued, upon motion of attorney for complainants as to Z. V. Johnson, Nora Tucker, Floretta Johnson, Leah Parish and Rufus Bowden.

Aug. 3rd. 1922: First August Rules: Bill taken for confessed as to Jennie Munford, Vivian Bennett, Geo. Johnson, Annie Bradshaw, H. M. Johnson, Theodosia Butler, Bernice Rowell, Clio Lee Wixon and C. T. Munford, administrator of N. B. H. Munford, deceased, and cause set down for hearing as to them. Continued upon motion of complainant's counsel as to Z. V. Johnson, Nora Tucker, Floretta Johnson, Leah Parish and Rufus Bowden.

Aug. 17th. 1922: Second August Rules: Upon motion of counsel for complainants this cause is continued at rules.

Aug. 31st. 1922: Third August Rules: Upon motion of counsel for complainants this cause is continued at rules.

Sept. 21st. 1922: Second September Rules: Process returned executed upon Z. V. Johnson, Nora Tucker, Floretta Johnson, Leah Parish and Rufus Bowden, they still failing to appear to plead, answer or demur, and cause set down for hearing as to them.

C. B. Godwin, Jr., appointed guardian ad litem for the infant defendant, Norris Wilton Johnson, upon motion of counsel for the complainants.

All parties having been served with process and cause having fully matured, set down for hearing and entered on the court docket.

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

Mollie Diana Munford, Charles T. Munford,
Ocie H. Gay, and John L. Gay, Jr., ... Complainants

Vs) Chancery No. 390

Z. V. Johnson, Nora Tucker, Floretta Johnson, Jennie
Munford, Annie Bradshaw, George Johnson, H. M. Johnson,
Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee
Wixon, Leah Parish, Vivian Bennett, C. T. Munford, ad-
ministrator of N. B. H. Munford, deceased, and Morris
Wilton Johnson, the last named being an infant under the
age of twenty one years, and C. B. Godwin, Jr., guardian
ad litem for the infant defendant..... Defendants

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

The undersigned, to whom has been referred the papers
in the above entitled cause, for the execution of a decree entered
therein on the 8th. day of November, 1922, respectfully reports:
That after having given notice to all of the parties that he would
on the 29th. day of November, 1922, at his office at the Courthouse
of Isle of Wight County, Virginia, at 11 o'clock, A. M., proceed to
execute the said decree. By agreement of all parties, both complain-
ants and defendants, the place of hearing was changed from the Com-
missioner's Office at Isle of Wight County Courthouse to the office
of S. E. Everett, attorney at law, Suffolk, Virginia, at 11 o'clock,
in the morning of the said 29th. day of November, 1922. That at the
hearing there appeared S. E. Everett and John K. Hutton, attorneys for
Vivian Bennett, George Johnson, H. M. Johnson, and Leah Parish. C.
B. Godwin, Jr., Guardian ad Litem, for the infant defendant, Morris
Wilton Johnson, was present in person. John H. Gebrell, Jr., appeared
as counsel for Mollie Diana Munford, and A. S. Johnson appeared as
counsel for C. T. Munford, in his own right and as administrator of
N. B. H. Munford, deceased, Ocie H. Gay, John L. Gay, Jr., James Mun-
ford, Clio Wixon, Floretta Johnson, Rufus Bowden, Annie Bradshaw,

Theodosia Butler, and Bernice Rowell, Parke P. Deans, counsel for Z. V. Johnson and Nora Tucker did not appear.

At the hearing aforesaid the evidence of C. T. Munford, E. B. Ramsey, John A. Ramsay, E. T. Rowell and John M. Eley was taken, reduced to writing and is filed herewith as a part of this report.

From the evidence so taken and from the pleadings filed in this suit and from the records filed in the Clerk's Office of this Court, your Commissioner is informed and reports as follows:

(1) That the real estate in the bill and proceedings in this suit mentioned cannot be conveniently divided among the parties entitled thereto, if the Court should be of the opinion that all of the parties to this suit have an interest therein.

(2) That in the event a partition is ordered by the court and it is determined that other parties have an interest therein, C. T. Munford and Molly Diana Munford wish to have their interest in the Robert L. Munford place assigned to them in kind.

(3) Under the will of Nathan Munford, sometimes called Mountford, a copy of which is filed herewith, bearing date of October 4th., 1873, admitted to probate in the Circuit Court of this County on the 7th., day of May, 1877, and entered of record in Will Book 20, page 676, and following the provisions of Section 5159 and 5160 of the Code of Virginia, and the doctrine laid down by the Supreme Court of Appeals of the State of Virginia in Drake vs. Blythe, in 108 Vs., Page 38; and following the decision of this court in the Condemnation proceedings brought by the Norfolk & Western Railway Company against Nathan Munford's devisees, on the

6th. day of June, 1910, the order for the distribution of the funds decreed to be paid for the land taken in that proceeding having been entered on the 5th. day of December, 1910, both the said Robert L. Munford tract and the Cofer tract, mentioned belong to Molly Diana Munford and C. T. Munford, and the other parties to this suit have no interest therein. It is determined by your Commissioner that no other parties to this suit than the said C. T. Munford and Molly Diana Munford have any interest in the two tracts of land mentioned, commonly called the Cofer tract and the Robert L. Munford tract, as it manifestly appears in the Will of said Nathan Munford that it was his intention that if any of his children, to whom he had given real estate, should die without issue, that the said real estate should survive to the rest of his children named in the Eighth Clause of his Will. He made this an express condition upon each devise of real estate, and your Commissioner thinks, and so reports, that the devises provided for in the Eighth Clause of the Will were with the same intent; so, that upon the death of either of said children, without issue, the part devised to such child should survive to those left. Your Commissioner, therefore, reports that, Alonza Munford and N. B. H. Munford having departed this life without issue and Robert L. Munford not having been heard of for a period of more than twenty years, and who is now presumed to be dead, and having, so far as your Commissioner is informed, no issue, all of the real estate devised to them including the remainder in item Eight of said Will survives to Charles T. Munford and Molly Diana Munford, and the said Charles T. Munford and Molly Diana Munford are now joint owners in said estate, subject to the said condition of survivor-ship.

(4) There appear to be no liens of record against any of the real estate in the bill and proceedings in this suit mentioned for delinquent taxes or otherwise.

(5) At the time of the death of said N. B. H. Munford, he owned some personal estate. C. T. Munford was duly appointed and qualified as administrator of his estate and had an appraisement of his property made, which is herewith returned as a part of this report. On the 28th. day of December,, 1921, sale was made of the chattel estate of said N. B. H. Munford which aggregated the sum of \$721.76, the account thereof being herewith returned. The estate of said N. B. H. Munford appears to be indebted to the owners of the Cofer farm, he being tenant thereof (the owners being, according to the view expressed, C. T. Munford and M. D. Munford) for five years preceding the death of said N. B. H. Munford, and which is, at the rate of \$150.00 per annum, aggregating the sum of \$750.00. The value of the produce from the R. L. Munford tract, of which the said N. B. H. Munford was tenant for the years 1916, 1917, 1918, and 1919, according to the testimony of C. T. Munford, was approximately \$8897.70, two ninths of which belong to the land owners and the balance to the said N. B. H. Munford, the land owners being C. T. Munford and Mollie Diana Munford.

An account of the receipts and disbursements of C. T. Munford, administrator of N. B. H. Munford, is also filed herewith, showing expenditures aggregating \$1832.50, and receipts amounting to \$2913.80, leaving a balance due the estate, on his account, of \$1081.30. There is, also, a balance in the Bank of Zuni, the principal of which is \$1998.00, and which came from the sale of a tract of land owned in fee by said N. B. H. Munford, and on which J. E. Gray held a deed of trust.

(6) The estate of N. B. H. Munford owned no real estate, and the personal estate, he having died intestate, should be distributed as follows, and in the following proportions:

C. T. Munford, a brother of the whole blood, $\frac{1}{4}$

Mollie Diana Munford, a sister of the whole blood, $\frac{1}{4}$

Loretta Johnson, a daughter of Alice, deceased, a sister of the whole blood,	1/12
Z. T. Johnson, a son of said Alice,	1/12
Nora Johnson, a daughter of said Alice,	1/12
 George T. Johnson, a son of Udora Ann, deceased, a sister of the half blood,	 1/48
Mills H. Johnson, a son a said Udora Ann,	1/48
Vivian Bennett, a daughter of said Udora Ann,	1/48
Annie E. Bradshaw, a daughter of said Udora Ann	1/48
Clio Wixon, a daughter of Herbert Johnson, de- ceased, a son of said Udora Ann,	1/144
Leah Parish, a daughter of said Herbert,	1/144
Morris Johnson, a son of said Herbert,	1/144
Theodosia Butler, a daughter of Cattie Bowden, deceased, a daughter of said Udora Ann,	1/144
Bernice Rowell, a daughter of said Cattie,	1/144
Refus Bowden, a son of said Cattie,	1/144
 Jennie Munford, a daughter of George Munford, deceased, a brother of the half blood,	 1/16
Ocie H. Gay, a son of Georgie Gay, deceased, a daughter of said George,	1/32
John Letcher Gay, Jr., a son of said Georgie,	1/32

Respectfully submitted,

R. A. Edwards

Commissioner in Chancery

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Virginia: Circuit Court of
Isle of Wight County.

C. T. Munford et als.

v) Chancery. 390

E. V. Johnson et als.

Report of Commissioner in
Chancery.

*Filed Room 614
30th 1929*

R. A. EDWARDS
COMMISSIONER IN CHANCERY
CIRCUIT COURT
ISLE OF WIGHT COUNTY
ISLE OF WIGHT, VIRGINIA

COMMONWEALTH OF VIRGINIA:

The City Of Suffolk.

TO THE SHERIFF OF ~~VIRGINIA~~ ~~ISLE OF WIGHT COUNTY~~—Greeting:

We command you that you summon **Jennie Munford and George Johnson;**

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
Third Monday in July, 1922, to answer a bill
in chancery exhibited against them in our said Court by

Mollie Dianna Munford,

Charles T. Munford,

Ocie H. Gay, and

John L. Gay, Jr.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 21st day of June, 1922, and in
the 146 year of the Commonwealth.

R. A. Edwards Clerk.

Service of the within process is hereby accepted.

Jessie Newford
By J. E. Everett, her attorney.

George Johnson
By J. E. Everett, her attorney.

Virginia Bennett,
By John L. Fulton, her attorney.

COMMONWEALTH OF VIRGINIA:

City Of Norfolk
TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—Greeting:

We command you that you summon Clio Lee Wixon.,

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
Third Monday in July, 1922, to answer a bill
in chancery exhibited against them in our said Court by

Mollie Dianna Munford,

Charles T. Munford,

Ocie H. Gay, and

John L. Gay Jr.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 21st day of June, 1922, and in
the 146 year of the Commonwealth.

R. A. Edwards Clerk.

A. S. Johnson p. q.

Service of the within process is hereby accepted.

Sign here

Mrs Clio Lee Johnson Wixon.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Floretta Johnson

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
third Monday in September, 1922, , 192, to answer a bill
in chancery exhibited against her in our said Court by Mollie
Diana Munford et als.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 11th. day of September, 1922. , 192, and in
the year of the Commonwealth.

R. A. Edwards Clerk.

I delivered to Floretta Johnson, in person, in the town of Scotland Neck, in the State of North Carolina, she being a non resident of the State of Virginia, and a resident of the said State of North Carolina, on this 12 day of September, 1922, a copy of the within process.

C. T. Lawrence

State of North Carolina,
County of Halifax, to-wit:

This day came before me, in person, C. T. Lawrence, the above named Officer, and made oath before me, in my said County, that he delivered a copy of the within process to the said Floretta Johnson at the time and place mentioned in his certificate, and that said Floretta Johnson is and was, when said copy was so delivered, a resident of the State of North Carolina.

Given under my hand and the seal of my office, on this 12 day of September, 1922.

Robt. L. Smith

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Z. V. Johnson, Nora Tucker, Floretta Johnson, Jennie Munford, Annie Bradshaw, George Johnson, H. M. Johnson, Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee Wixon, Leah Parrish, Chas. T. Munford, Admr. N. B. H. Munford, and Norris Wilton Johnson, the last named being an infant under the age of twenty one years; ,

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 Third Monday in July, 1922, to answer a bill in chancery exhibited against them in our said Court by Mollie Dianna Munford, Charles T. Munford, Ocie H. Gay, and John L. Gay Jr.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-house, this 21st day of June, 1922, and in the 146 year of the Commonwealth.

R. A. Edwards Clerk.

I executed the within summons, this the 28th day of June 1922,
by serving a true copy of the same on Annie Bradshaw, H.M. Johnson,
Theodosia Butler and Bernice Rowell, each in person. After search-
ing diligently I could not find Rufus Bowden in my county.
Executed in Isle of Wight County.

W. H. Chapman, Sheriff.

Service of the within process is accepted.

Chas. B. Munford, admr. N. B. H. Munford,

By *A. S. Johnson*, his attorney.

Rufus Bowden,

By *A. S. Johnson*, his attorney.

Munford et al

Virginia Chancery No.

Johnson et al.

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 *2nd July* Rules.
A. S. Johnson R.D.

COMMONWEALTH OF VIRGINIA:

Brunswick
TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—Greeting:

We command you that you summon... Leah Parrish.,

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
Third Monday in September, 1922, to answer a bill
in chancery exhibited against them in our said Court by

Mollie D. Munford et als.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 11th day of September, 1922, and in
the 147th year of the Commonwealth.

R. A. Edwards Clerk.

Maellie D. Murphy et al.

Virginia Chancery No. 390

G. V. Johnson et al.

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

7 Sept.

Rules.

Brunswick County To wit

Sept 14 1922

Executed by delivering

a true copy of this

Summons to Leah Parish

in Person in the County

of Brunswick

R B Turnbull J. W. Harrison

Shirley W. Campbell

COMMONWEALTH OF VIRGINIA:

City Of Danville.,
TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—Greeting:

We command you that you summon Z. V. Johnson, and Nera Tucker,

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
Third Monday in September, 1922, to answer a bill
in chancery exhibited against them in our said Court by
Mollie D. Mumford et als.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 11th, day of September, 1922, and in
the 147th year of the Commonwealth.

R. A. Edwards Clerk.

Executed by delivering J. V. Johnson and
Doro Tucker each a true copy of the
within ~~document~~ on the 12th day of
September 1922, within my bailwick
Feeff 1⁰⁰ Paid M. B. Driffler, Jp City of Danville

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Maeie D. Mumford
et al.

Virginia Chancery No. 390.

J. V. Johnson et al.

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 2nd September Rules.

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

Mollie Diana Munford, Charles
T. Munford, Ocie H. Gay, and
John L. Gay, Jr., ...Complainants.

v) Chancery. No. 390. Answer of guardian ad litem.

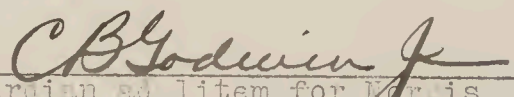
Z. V. Johnson, Nora Tucker,
Floretta Johnson, Jennie
Munford, Annie Bradshaw,
George Johnson, H. M. John-
son, Theodosia Butler, Ber-
nice Rowell, Rufus Bowden,
Clio Lee Wixon, Leah Parish,
Vivian Bennett, C. T. Mun-
ford, administrator of N.
B. H. Munford, deceased, and
Norris Wilton Johnson, the
last named being an infant
under the age of twenty one
years, ...Defendants.

The answer of Norris Wilton Johnson, an infant under the
age of twenty one years, by C. B. Godwin, Jr., his guardian
ad litem, appointed to defend him in this suit, to a bill of com-
plaint, filed against him, in the Circuit Court of the County of
Isle of Wight, State of Virginia, by Mollie Diana Munford, Charles
T. Munford, Ocie H. Gay and John L. Gay, Jr.,

This respondent, reserving to himself the benefit of all
just exceptions to said bill of complaint, for answer thereto, or
to so much thereof as he is advised it is material for him to an-
swer, by his guardian ad litem, answers and says:

That he is an infant, and by reason of such infancy, he is
incapable of understanding or of taking care of his rights and in-
terests herein; and that he, therefore, commends himself, and his
rights and interests, to the tender care and protection of the
Court, and prays that no decree may be entered that will tend to
his prejudice.

And now having fully answered the complainants bill, this
respondent prays to be hence dismissed with his reasonable costs
by him about this suit in his behalf expended.


Guardian ad litem for Norris
Wilton Johnson, infant respondent.

Virginia: Circuit Court of
Isle of Wight Co.

Munford's heirs

v) Chancery. No. 390

Munford's heirs

Answer of guardian ad litem
and infant defendant.

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.

Munford, et als.

v) Chancery. No. _____ BILL OF COMPLAINT.

Munford et als.

TO HONORABLE B. D. WHITE,

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

Your complainants, C. T. Munford, Mollie Diana Munford, Ocie H. Gay and John L. Gay, respectfully sheweth to the Court the following case:

1. That on the 16th. day of April, 1921, N. B. H. Munford, formerly called Mountford, but in later years spelled and called Munford, and which name will be hereinafter spelled and called Munford, departed this life, intestate, a resident of the County of Isle of Wight and State of Virginia, possessed of certain property, real and personal, the said real property being in the County off Isle of Wight and State of Virginia, and which came from the father of the said N. B. H. Munford, Nathan Munford, by will or by inheritance from his brothers, Alonza Mountford and Robert L. Munford, one or both of them.

2. That on the 19th. day of April, 1921, Charles T. Munford, a brother of the said N. B. H. Munford, applied to the Clerk of this Court, and was granted, letters of administration upon the estate of the said N. B. H. Munford.

3. That by the last will and testament of the said Nathan Munford, bearing date the 4th. day of October, 1873, and duly admitted to probate in the County Court of the said County of Isle of Wight on the 7th. day of May, 1877, and entered of record in the Clerk's Office of the said Court in Will Book No. 30, page 674, in the 5th. clause thereof, it is provided as follows, to-wit:

"I give to my son, Alonza Munford, the land I purchased from John F. Ramsey and wife, called and known as the Cofer tract, for and during his life, and at his death to his children, if he should die leaving child or children, but if he should die leaving no child or children, then the said land is to revert to my estate, upon this condition, that my said son Alonza shall pay to his brother, my son, Nathan B. Hobbie Munford, the sum of four hundred dollars when he takes possession of the said land, and I charge said land with the payment of said sum".

4. That the said Alonza Munford died, unmarried, without issue, and intestate, before taking possession of the said tract of land, devised to him as aforesaid, and never paid to the said Nathan B. Hobbie Munford the sum of four hundred dollars as mentioned in said will.

5. That by the 7th. clause of said will, the said Nathan Munford provided as follows, to-wit:

"I give to my son, Robert Munford (and who is called in this Bill Robert L. Munford) about 150 acres of land being a part of the old tract and a part of the Eley tract, bounded on the one side by the land devised to my son Charles for life, and on the East by John Beaton's land and the Burnt Mill tract, E. E. Bowden and M. Davis on the other side, for and during his life, and at his death to his children should he die leaving children, but should he die leaving no child or children, then the said land is to revert to my estate".

6th. That the said Robert L. Munford has been away from this community and has not been heard from or of for more than twenty years prior to the institution of this suit, and when he left he was unmarried and had no lawful issue.

7th. That by the 8th. clause of said last will and testament of the said Nathan Munford, it is provided that should either of his children to whom he has given real estate for life, die without child or children, and the lands so given revert to his estate, then

the land that so reverts shall go to his children, Nathan B. Hobbie Munford, Alonza Munford, Charles T. Munford, and Robert L. Munford.

8th. That upon the death of the said Alonza Munford, without issue, the said Cofer tract of land reverted to the estate of the said Nathan Munford, according to the 7th. clause of said will, and according to the 8th. clause of said will, it immediately became the property, in fee, of Nathan B. Hobbie Munford, Robert L. Munford, Diana Munford, and Charles T. Munford:

9th. That the said Robert L. Munford, by his deed bearing date the 6th. day of February, 1888, and of record in the said Clerk's Office in Deed Book No. 52, page 63, conveyed his interest in said tract of land to his brother Chas. T. Munford, who is the present owner of said interest, thereby leaving the said Cofer tract of land the property of the following, to-wit: Charles T. Munford, two shares: The estate of Nathan B. Hobbie Munford, one share: and Mollie Diana Munford, one share.

10th. That the said Robert L. Munford being absent for more than twenty years, the property devised to him for life and at his death to his child or children, he having no lawful issue at the time of his departure from these parts, reverts to the estate of said Nathan Munford and at once becomes the property of said N. B. H. Munford's estate, Chas. T. Munford, and Mollie Diana Munford in fee, that is to say after twenty years have elapsed since the departure of the said Robert L. Munford and from whom nothing has been heard of in that time.

11th. The heirs at law and distributees of the said N. B. H. Munford are as follows, to-wit:

Charles T. Munford, a brother of the whole blood:

Mollie Diana Munford, a sister of the whole blood:

Robert L. Munford, a brother of the whole blood:
(if he be found)

Jennie Munford: a niece of the half blood, being the child of George Munford, a brother of the half blood.

Ocie H. Gay and John L. Gay, Jr., children of Georgie Gay, a niece of the half blood, she being a daughter of said George Munford, a brother of the half blood.

Annie Bradshaw, who was Johnson; George Johnson; H. M. Johnson, and Vivian Bennett, nieces of the half blood, who are the children of Dora Ann Johnson, a sister of the half blood.

Theodosia Butler, who was Bowden; Bernice Rowell, who was Bowden, and Rufus Bowden, children of Catherine Bowden, a niece of the half blood, she being a daughter of the said Dora Ann Johnson.

Clio Lee Wixon, who was Johnson; Leah Parrish, who was Johnson; and Norris Wilton Johnson, the last named an infant, children of N. Herbert Johnson, a nephew of the half blood, he being a son of the said Dora Ann Johnson, a sister of the half blood.

Z. V. Johnson; Nora Tucker, who was Johnson; and Eloretta Johnson; nephew and nieces of the half blood, they being the children of Alice Johnson, a sister of the half blood.

12th. That the same, with the exception of the said Robert L. Munford, are the heirs at law and distributees of the said Robert L. Munford.

13th. That the said complainants and defendants are entitled to share in the personal estate of the said N. B. H. Munford, deceased, according to the statutes of distribution in force at the time of his death; and they are entitled to share in the real estate of which he died seized and possessed, according to the statutes of descent in force at the time of his death: That they are, also, entitled to share in the real estate left by the said Robert L. Munford according to the statutes of descents.

14th. That the said real estate, or interests therein, held by the said N. B. H. Munford at the time of his death, and which now appears to be the property of the said Robert L. Munford, is, as your complainants believe, susceptible of partition among the parties entitled to share therein; but should it not be divisible in kind, complainants believe, and here state, that the interests of

those entitled thereto, or its proceeds, will be promoted by a sale of the whole, or by an allotment of part and sale of the residue.

15th. On consideration whereof, and forasmuch as your complainants are remediless in the premises, save in a court of equity, where matters of this kind are alone and properly cognizable and relievable, they pray that the said Jennie Munford, Annie Bradshaw, George Johnson, H. M. Johnson, Vivian Bennett, Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee Wixon, Leah Parrish, Z. V. Johnson, Nora Tucker, Floretta Johnson, and Norris Wilton Johnson, the last named being an infant under the age of twenty one years, be made parties defendant to this bill, and required to answer the same, but not under oath, answer under oath being hereby waived, the said infant by guardian ad litem; that a proper guardian ad litem be appointed in this cause for the said infant defendant, Norris Wilton Johnson, who shall, also, answer said bill; that proper process issue; that the real estate of which the said N. B. H. Munford died seized and possessed be divided among the parties entitled to share therein, or else if it cannot be so divided, that it may be sold and the proceeds divided among those entitled to share therein, according to their respective rights; that the real estate of the said Robert L. Munford be divided between the parties entitled to share therein, or else if it cannot be so divided, that it may be sold and the proceeds divided among those entitled to share therein according to their respective rights; that an account be taken, stated and reported to the court of the doings and transactions of C. T. Munford as administrator of the said N. B. H. Munford, deceased; and that any balance or balances remaining in his hands after he has properly administered said estate be divided among the parties entitled to share therein, according to their respective rights; that all proper orders and decrees may be made and entered, inquiries directed, accounts taken, stated and reported; and that your complainants have such other, further, and gener-

al relief in the premises, as the nature of their case may require,
or to equity shall seem meet.

And your complainants will ever pray, etc.

_____ p.q.

In the Circuit Court of
the City of New York

Memorandum of
the Court
in the case of
the People vs. Johnson et al.

Dec.

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

I, Nathan Mountford of the County of Isle of Wight and State of Virginia, do make the following, as my last will and testament, hereby revoking all and every other will, at any time heretofore made by me.

I give and devise to my wife Mary Ann, the sum of five hundred dollars, and one bed, cheststead & furniture to her and her heirs forever. I also give to my said wife the right and privilege of the use and occupation of one of the rooms in my dwelling house of her choice, and also the privilege of cooking in the basement or cook room of the said house, during her life, or so long as she may think proper to occupy the same, but not to be rented out or otherwise disposed of by her to any other person.

I give to the two sons of my late son George, each twenty five dollars to them and their heirs forever.

I give to my daughter Adona Anna Johnson widow of Hartwell Johnson, dec'd, for her sole and separate use, free from the debts, contracts and control of any future husband she may have, and to be disposed of at her death as she may think proper, the sum of two hundred dollars.

I give to my daughter Alice Stephenson one dollar to her and her heirs forever.

I give to my son Alonza Mountford the land I purchased of John F. Ramsey and wife, called & known as the Cofer tract, for and during his life, and at his death to his children, if he should die leaving child or children, but if he should die leaving no child or children, then the said land is to revert to my estate, upon this condition, that my said son Alonzo shall pay to his brother, my son, Nathan B. Hobbie Mountford the sum of four hundred dollars when he takes possession of said land, and I charge said land with the payment of said sum.

I give to my son Charles Mountford the old tract and the Gray tract, supposed to be two hundred acres, bounded by Haidy Chapman and Jas. W. Hall's land, on the North and South, and by a line commencing at a pine on the old Black Water road, thence across the field to the head of a ditch leading to the Horse Swamp then up the swamp by the line of the said Chapman, for and during his life, and at his death to his

children if he should die leaving child or children, but if he should die leaving no child or children, then said land is to revert to my estate.

7 I give to my son Robert Mountford about 150 acres of land being a part of the Old tract and a part of the Eley tract, bounded on one side by the land devised to my son Charles for life, on the East, and by John Beaton's land, and the Burnt Mill tract, E. E. Bowden and M. Davis on the other side, for and during his life, and at his death to his children should he die leaving children, but should he die leaving no child or children, then the said land is to revert to my estate.

8 Should either of my children to whom I have given lands for life, die without child or children, and the land given to him or them revert back to my estate, then I give the said land that may so revert back to my children Nathan B. Hobbie, Alonzo, Dianna, Charles & Robert and their heirs forever.

I give to my daughter Dianna, the sum of four hundred dollars to and for her sole and separate use, free from the debts, contracts and control of her husband, should she marry, and to be disposed of as she may think proper. I appoint my son Nathan B. Hobbie and Alonzo the Executors of this my last will and testament. In Testimony whereof, I have hereunto set my hand and seal this 4th day of October, 1873.

his
Nathan X Mountford (SEAL)
mark

Signed, sealed, published and declared by the testator in our presence, and we being in the presence of each other as his last will and testament.

N.P. Ypung

Jim R. Purdie

C. H. Hart

APPRAISEMENT OF THE PERSONAL PROPERTY OF N. B. H. MUNFORD, DECEASED,

28 pigs,	75.00
5 Brood sows,	50.00
1 Male hog,	10.00
1 Double cultivator,	10.00
1 Double cultivator,	12.00
3 Single cultivators,	10.00
4 Turn plows,	2.50
1 Double turn plow,	5.00
1 Stonewall plow,	1.00
4 Single trees,	1.00
1 Cart saddle,	.25
4 Hoes	.80
5 Forks,	1.50
2 Mattoxes,	1.00
1 Hole digger,	.50
3 Shovels,	.75
1 Brush hook,	.25
1 Hoe fork,	.50
1 Log chain,	1.00
1 Farm wagon,	30.00
1 Cart and wheels,	20.00
1 Disc harrow,	20.00
1 Peanut weeder,	5.00
3 Sets gear,	6.00
2 Cows and calves,	70.00
1 Buggy and harness, (no collar)	30.00
1 Grind stone,	.50
240 bags peanuts 90 lbs a bag, 2160 lbs. @ $4\frac{1}{4}$	918.00
150 lbs bacon, @ 18¢	27.00
Cook room and dining room ware,	15.00

40 lbs lard, @ 18¢	7.20
8 Prs. blankets,	12.00
2 Counterpanes,	1.00
3 Sheets,	.50
Bureau and wash stand,	6.00
Bed springs, stead and mattress,	20.00
1 Bible,	1.00
1 Book case and books,	10.00
1 Shot gun,	1.00
2 Chairs,	1.00
1 Lamp,	.10
2 Prs. andirons,	1.00
2 Cross-cut saws	1.50
5 Steel traps,	.50
Hatchet, hand-saw and square,	1.00
20 Bbls corn,	60.00
41 Bags peanuts, 95 lbs. 3895 lbs.	165.54
1 Horse,	10.00
2 Mules,	200.00
Ed haskins note,	96.89
1 Lot lumber on Power line,	10.00
1 Lot lumber at Robertson's, 4000 ft.	60.00
1 Lime sower,	10.00
Cash in Bank of Zuni,	65.22
Cash in Bank of Windsor,	7.04
Cash in Farmers Bank of Nansemond,	10.80

The foregoing inventory and appraisement of the personal property of N. B. H. Munford was, on this 20th. day of April, 1924, made by us after being duly sworn.

G. Fred. Johnson
J. E. Bradshaw
W. C. Anderson

Sale December 28th, 1921
Account of sales of the Chattle Estate of N. B. H. Munford deceased.

C. T. Munford Admr.			
Tom Duck	Guano sewer mole traps	\$	1.60
B. M. Cobb	X cut saw, oil can		.45
J. T. Carr	X cut saw		1.00
J. M. Clayton	Grindstone		1.50
W. F. Beale	Mall		.50
S. L. Bradshaw	Bush axe		.35
W. E. Bland,	Hole digger		.75
W. J. Duck	Shovel, spade, fork		.25
J. F. Chapman	6 tine fork		.90
W. J. Duck	4 tine fork		.35
B. S. Duck	4 tine fork		.40
B. S. Duck	4 tine fork		.40
D. V. Duck	Bunch of shovels etc.		.35
Con Joyner	2 weed hoes		.60
John Austin	1 weed hoe		.55
S. L. Bradshaw	1 weed hoe		.50
J. F. Chapman	hoe, bucket		.15
S. Leon Lewis	wrench, tongs		.20
Peter Robertson	lot castings		.30
Jack Purdie	gem plow		2.25
R. E. Drewry	one row cultivator		13.00
H. M. Johnson	Disc Harrow		25.50
D. V. Duck	cultivator		.30
J. F. Chapman	cultivator		.90
John Austin	double plow		2.60
J. T. Johnson	sub soiler		.75
Everett Wright	clipper plow		.80
J. E. Bradshaw	champion plow		2.00
John Austin	double plow		.55
Con Joyner	s. h. shovel		.25
W. K. Saunders	shovel mad axe		.25
S. L. Bradshaw	mad axe		.50
J. M. Bradshaw	single-tree		.65
J. E. Bradshaw	single-tree		.50
R. S. Bracy	cul. castings		1.00
Chas. Tomlin	lot castings		.25
D. V. Duck	lot castings		.40
R. E. Britt	Sulky cultivator		5.50
Jack Purdie	weeder		5.10
S. J. Turner	two- h- wagon		67.00
W. H. Britt	buggy, harness		51.00
W. J. Joyner	cart, wheels		25.25
W. F. Beale	fertilizer sewer		20.00
Bob Sadler	L. Milk cow		16.75
Sam Butler	S. Milk cow		15.00
C. H. Johnson	calf		10.00
Bob Sadler	hog		17.50
J. F. Chapman	hog		17.00
R. E. Drewry	hog		15.75
Bob Sadler	hog		8.00
J. M. Clayton	10 pigs		23.50
R. L. Crumpler	7 pigs		7.00
Chas. Johns	5 Bbls corn		18.00
W. E. Garrison	10 Bbls corn		28.50
Tode Bracy	5 Bbls corn		14.25
J. R. Johnson	Basket		.80
M. T. Harris	lot hay		6.11
E. H. Bradshaw	1 pair mules		\$200.00
Everette Wright	collar		.75
Will Chapman	collar		3.25
J. F. Chapman	collar		4.00
			\$641.56

Carried forward-

Amount brought forward \$641.56

Aaron Chapman	Pr Haines	1.55
Aaron Chapman	Pr. Haines	1.05
J. F. Chapman	Pr. Haines	1.15
J. E. Bradshaw	pr Traces	1.05
John Tyler	Pr. Traces	.95
Nick Simmons	Bridle	.80
Tom Barrett	Bridle	.80
E. H. Bradshaw	Bnd B. Bits	1.25
James Ricks	B. B. & Saddle	1.30
James Ricks	Heater and pipe	2.80
J. R. Chapman	Andirons	1.00
Mrs. Annie Bradshaw	Kitchen & Dining R. Furniture	15.00
Mrs. Annie Bradshaw	8 pr blankets	12.00
"	2 bed spreads, 3 sheets	1.50
"	Bed Complete	20.00
"	Book case and books	10.00
"	2 chairs	1.00
"	Washstand & Bureau	6.00
"	Shot gun	1.00

 721.76

N. B. H. Munford's Estate

In account with

C. T. Munford, Admr.

		Debits.
1921.		
April 19th,	To cash paid washwoman,	3.00
" "	To cash oil .25 medicine \$1.10	1.35
" "	To cash groceries,	6.25
" "	To cash gasoline and oil,	5.75
" "	To cash paid Mrs. Fletcher Chapman for rooms and forcooking,	10.00
" "	To cash one suit underwear,	1.30
" "	To cash socks .75 one tie .75	1.50
" "	To cash 1 shirt \$2.75 - collar .25	3.00
" "	To cash suit of clothes,	65.00
" "	To cash digging grave,	3.00
" "	To cash telegrams \$1.05 phone calls .80	1.85
" "	To cash phone call	.25
April 30th,	To cash windows for kitchen,	4.47
June 6th,	To check to W. E. Laine for taxes,	104.47
June 8th,	To check for bagging and hauling peanuts and vaccinating hogs,	37.82
" 8th,	To check R. A. Horne, bal. on guano used by Sol Carr for 1920,	62.98
" 23rd,	To check for hog pasture wire,	50.00
Sept. 2nd,	Paid J. M. Darden for fishscrap,	216.05
" "	" R. A. Edwards, Clerk,	6.70
Nov. 25th,	To paid Dr. J. M. Rabey,	10.00
" "	To paid R.J. Turner merchandise account,	8.33
" "	To paid R.L. Crumpler, " "	7.23
" 25th,	To paid Dr. R. Lee Seward,	21.00
" "	To paid C. W. Bailey & Son, casket,	195.00
Dec. 30th,	To paid C.T. Munford and Mollie Munford 2/9 of rents for 1921,	101.05
" "	To amt. paid Annie E. Bradshaw for note against N.B.H. Munford,	80.02
" "	To check to A. S. Johnson, Atty.	25.00
" "	To check Mills V. Bracey for note of N.B.H. Munford,	107.55
" 28th,	To cash paid W. T. Joyner, auctioneer,	5.00
" "	To cash paid Lewis (Clerk at sale)	15.00
" 30th,	To paid R. A. Horne for guano and ine roll wire,	66.50
1922,		
Feb. 20th,	To check for 1935# meat,	193.50
July 3rd,	To check bal. due F. Chapman 1921,	3.00
" "	To check W. E. Laine taxes,	87.02
" "	To paid Willie Andrews, appraiser,	2.52
" "	To paid G. Fred Johnson, "	2.52
" "	To paid J.E. Bradshaw, "	2.52
Nov. 29th,	To paid monuments for N.B.H. Munford, wife and daughter,	315.00

\$1,832.50

Credits.

1921.		
April 23rd,	By amount cash n bank	13.55
June 7th,	By 7/9 int. in 300 bags peanuts 1920 (30422) crop	1221.07
June 7th,	By 1.3 int. in Sol. Carr's peanuts and corn 1920 crop	232.11
June 24th,	By check C.T.Munford to pay burial items charged,	102.25
" "	By bal. Bank, Mansmond,	10.80
Aug. 31st,	By cash horse sold,	20.00
Sept. 2nd,	By cash calf sold,	25.00
Sept. 20th,	By cash,	12.00
Oct. 8th,	By cash,	7.00
Oct. 15th,	By cash,	14.00
Dec. 3rd,	By rents of J.P.Chapman, 1921,	238.12
Dec. 12th,	By 1935# meat sold at 10 cents,	193.50
Dec. 28th,	By amount chattel property sold,	721.76
1922,		
July 3rd,	By check Sol Carr for 1921 rent,	102.64

\$2,913.80

N. B. H. Munford Estate,
To C. T. Mumford,

1921.

April 20, To 1/9 of peanut crop for 1916- 17- 18- 19
rent due for above number of years from
farm owned jointly \$ 988.64

N. B. H. Munford's Estate
To Mollie Munford,

1921.

April 20 To 1/9 of peanut crop for 1916- 17- 18- 19
rent due for above number of years from
farm owned jointly \$ 988.64

Questions asked by Mr. John N. Sebrell.

Mr. C. T. Munford, being duly sworn, deposes as follows:

Q. State your name, age, residence and do you know the parties to this suit.

A. Charles T. Munford, 60 years old, Greenville, North Carolina. I know all of the parties except Herbert Johnson's children. I am myself one of the parties.

Q. What relation were you to Nathan Munford, deceased.

A. Son.

Q. How many times was Nathan Munford married.

A. Four.

Q. Did he have any children by his first wife.

A. Two, Eudora A. and George.

Q. Is George living or dead.

A. Dead.

Q. Did he leave any children.

A. Two.

Q. Their names.

A. Georgia and Ginnie Munford.

Q. What did they call Georgia, Cissie.

A. Yes, she was called Cissie.

Q. Did these girls marry.

A. Cissie married Letcher Gay. Ginnie never married.

Q. Did Cissie have any children.

A. Yes, Ocie H. Gay and John Letcher Gay Jr. She is dead.

Q. Is Ginnie living or dead.

A. Living, never married.

Q. Is Eudora Anna Munford living.

A. Dead.

Q. Who did she marry.

A. Hartwell Johnson.

Q. Has she any children.

A. Six.

Q. Their names.

A. She was married two times. The first time she had five children, George Johnson, Mills H. Johnson, Annie Johnson, Herbert Johnson and Katharine Johnson.

Q. Are any of them dead.

A. Katherine.

Q. Who did she marry.

A. Walter Bowden.

Q. Did she have any children.

A. Three children.

Q. Their names.

A. Theodosia B. Butler, Bernice B. Rowell and Rufus Bowden.

Q. Did she have any children by her second marriage.

A. Vivian F. Bennett.

Q. Living or dead.

A. Living.

Q. Were there any children born to Nathan Munford by his second wife.

A. None living.

Q. No issue now living. Are any of the children by that second wife living.

A. No.

Q. Did he have any children by his third wife.

A. Six; N. B. H. Munford, dead, no wife or child living;

Alonzo H. Munford, dead, unmarried;

Alice V. Johnson, dead, left three children, Floretta Johnson, unmarried, J. V. Johnson and Nora Johnson Tucker;

Robert L. Munford.

Q. Where is he.

A. We don't know. He has been gone about 27 or 28 years.

Q. Has he been out of the state for 27 years.

A. Yes, I feel sure he has not been here in that length of time.

Q. Can you state with certainty that he has been absent from this state and not heard from for more than seven years.

A. Yes, I am sure he has been gone more than 20 years and not heard from.

Q. The other children.

A. Mollie Diana Munford, still living and unmarried; Charles T. Munford, living, myself.

Q. Did he have any children by his last wife.

A. No, none.

Q. When did Alonzo die.

A. In 1886.

Q. When did N. B. H. Munford die.

A. In 1921, 13th day of April.

Q. I hand you a paper, marked "Exhibit A" and headed, Diagram of Heirs of Nathan Munford. I wish you would look at same and state whether or not it is correct.

A. Assuming that Eudora Anna Munford is a child by the first marriage, the map is correct.

Q. When did Nathan Munford, your father, die.

A. April, 1877.

Q. When did Herbert Johnson die.

A. I don't remember.

Q. Was it prior to the death of N. B. H. Munford.

A. Yes.

Q. Did Katherine die before N. B. H.

A. Yes.

Q. Please state whether Cissie Munford, who was Gay, died prior to the death of N. B. H. Munford.

A. Yes.

Q. Can you state whether or not all of the parties mentioned on this chart as being dead, died before N. B. H. Munford.

A. They all died before N. B. H. Munford.

Q. Who has qualified as Administrator of N. B. H. Munford.

A. I qualified.

Q. Have you a statement showing the personal property of which he died possessed.

A. Yes.

Q. Will you please file same.

A. Yes.

(Same is filed as "Exhibit B")

Q. Is there no other property except such as is presented on this paper.

A. It is all there except about \$1,900.00 which I received from the sale of real estate. That is being held in the Bank of Zuni now on interest. Someone raised the question as to whether it could not stay there and I agreed for them to keep it in bank and put on interest.

I wish he d. passessed ²³

A. Yes.

2. Will you please file same

A. Yes.

(same is filed as "Exhibit B")

2. Is there no other property except such as is presented on this paper.

A. It is all there except about \$1,900.00 which I received from the sale of real estate. That is being held in the Bank of Zuni now on interest. Someone raised the question as to whether it could not stay there and I agreed for them to keep it in bank and put on interest.

Q. Was the \$1,900.00 derived from any property which came to N. B. H. Munford under the sale of Nathan Munford.

A. No, sir, that was his individual property, held by him in fee simple.

Q. Have you paid the debts of N. B. H. Munford.

A. Yes, all except this year's taxes.

Q. Will you please file a statement showing your transactions as Administrator of the estate.

A. That is included in my paper called "Exhibit B".

Q. What real estate did N. B. H. die seized and possessed of.

A. Farm known as the Chapman Land, of which Gray had a deed of trust on.

Q. Any other.

A. None other except whatever interest he will have under father's will.

Q. Please state what has become of the Chapman property.

A. It was sold under the deed of trust.

Q. Is it from that property that the \$1,900.00 you have is derived.

A. Yes. I have it, but it is now in the bank of Zuni.

Q. How is that held in the Bank of Zuni.

A. After the sale of the land it seems that Gray owed the bank practically the amount of money that brother owed him, so, until we could clear this up, I suggested this be held in the Bank until it was cleared up.

Q. What real estate belonging to the estate of Nathan Munford, deceased, did N. B. H. have an interest in.

A. He was enjoying an interest under the control of the Cofer Farm from the time father's last wife died.

Q. He had the control of that place.

A. The Cofer Farm was disposed of in that way under the will, it was given to Alonzo.

Q. Where did N. B. H. live.

A. On the Robert L. Munford place.

Q. How was that disposed of under the will.

A. Given to Robert L. for life and to his heirs at his death, and -

Q. The will will be construed by the Court. Then if he had any interest in these two pieces of land, the same would be such as he would have under and by virtue of the premises of his father's will.

A. Yes, except the life ~~right~~ estate. I bought his life estate.

Q. Please state whether either of the parties purchased the interest of Robert Munford in the estate of Alonzo Munford.

A. I purchased it.

Q. Does that belong to you now.

A. Yes.

Q. I understand then that the only real estate in which N. B. H. would possibly have any interest would be the two tracts of land known as the Cofer Tract and the Robert L. Munford Tract, and that his interest in this tract is dependent upon the construction of the will of Nathan Munford.

A. Yes.

Q. If the Court should construe the will of Nathan Munford so as to -- Before I ask any further, I forgot to ask you whether Robert Munford ever married or had any issue.

A. He was unmarried.

Q. If the Court should construe that N. B. H. was entitled to the fee simple interest in the tract which you have designated as the Robert L. Munford tract, and should rule that ~~such~~ such an interest was one-third and that such an interest had to be distributed among the heirs at law of Nathan Munford as shown on that chart which you have introduced as "Exhibit A", do you think the land could be divided in mind among them all.

A. I should think it would be impossible to divide it.

Q. If the Court should construe the will of Nathan Munford so as to give a fee simple interest to N. B. H. in the other tract, known as the Cofer tract, could that be conveniently divided in kind among the parties who would be entitled thereto.

A. No, sir.

Q. Please state whether, with reference to the Robert L. Munford tract, whether any of the parties would be willing to take the entire property and pay the other persons interested a reasonable compensation for their interests in it.

A. We would hate to have to do it but we would rather do it than see it sold off. We want our interest in land.

Q. I understand then you would rather pay a reasonable amount, reserving to yourselves the option taken when the amount shall be ascertained, than to have the property sold.

A. In other words we are opposed to selling this. Sister and I want our interests in land.

Q. As to the Cofer tract, do you know of any parties at interest who would be willing to take the whole property and pay to the others such interests as they would be entitled to.

A. The Cofer tract is more of a lumber property than anything else and I would think the lumbermen would pay more for it than could be paid by anyone else.

Q. You think then that the interests of the parties interested would be promoted or not by the sale of the Cofer tract and a division of the proceeds.

A. I think it would be better to sell that. I own a one-half interest in it but there is right much lumber on that little farm and the lumber people would pay more for that than an outsider would give for it. If it comes to a show-down, if the price cannot be agreed on sister and I want our interest in land. You cannot tell what might develop and it would not be hard to get ten-twelfths of it cut off. My sister, Mollie, and I are willing to take our interests together and desire that the same shall be assigned in land.

Q. You think it would be easy to cut off $5/6$ s and assign the same to you in land and sell the other $1/6$.

A. We think that $5/6$ s could be assigned and the other one-sixth cut off to the satisfaction of all parties.

Q. Please state who has had possession of the Cofer Farm the last several years.

A. N. B. H. Munford has been in possession ever since my father's last wife died.

Q. Has any rent from that farm been accounted to you since her death.

A. Not any.

Q. To your sister Mollie.

A. None.

Q. What would you say would be a fair annual rental value of that farm.

A. I could not really say because at the present the place is not paying anything, but up to the widow's death her son, John Ramsey, had possession of it and I am sure he can tell the rental value of it.

Q. Who has been in possession of the Robert L. Munford tract.

A. N. B. H. Munford.

Q. For how long.

A. Ever since we bought it.

Q. How long has he been in possession.

A. Ever since A. L. Blow made the deed to me.

Q. During that time did N. B. H. , or anyone else, account to you for any rent of the property.

A. They did up until 1915 or 1916, I think 1916 and sister thinks 1915, but no rent since the 1915 rent.

Q. About what was a fair rental value for that property.

A. These few years paid better on account of the peanut crop of 1915.

Q. About how much rent per annum did you receive from the place during the time it was accounted to you.

A. I don't remember.

Q. Can you state about what you received would be a fair rental value per annum.

A. I have figured out the rent for 1915, 1916, 1917, 1918 and 1919.

Q. What would it amount to.

A. There is what I have figured out that is due sister and me for four years on the place. (Pointing to his account which is filed as "Exhibit B".)

Q. What do you think would be a fair amount due you during that period of time.

A. \$988.64

Q. How did you reach your conclusion.

A. I took the rents of 1916 and that for 1919, added these two years together and 1917 and 1918 would practically average up that. In 1921 we got only \$101.05 rent for the farm.

Question by Mr. John L. Gay: What farm was that you said you got \$105. rent for.

A. It was \$101.05 we were paid last year. They sold the crop and deposited the funds to the estate, on the same farm.

Q. What year do you figure up there you would get \$988.

A. That was for four years, peanuts sold for so much more.

Q. How much more would you say they sold for.

A. Five cents a pound extra.

Q. The way you have figured it then you would get \$1,840. there for your part.

A. For our two-ninths, yes.

Q. For how many years.

A. Four years.

Q. Over four hundred Dollars per year.

A. Yes. They are about the only years they have made that much.

Question by S. E. Everett.

What rent do you get this year.

A. They have not closed them. They won't get much this year, but better than last year.

Question by John L. Gay:

So you only got for last year \$101.05, still for the years you have not got any account for you figured it you made \$400.00.

A. Yes, the year 1921 was an exceptionally dry year in that section and peanuts did not make.

Q. That is your explanation of the different rents.

A. Yes, that is my explanation. Peanuts were the principal crop and they did not make many that year.

Q. How many bags did you make.

A. I don't know.

Q. How much did you get for them.

A. Four Cents a pound is what I got.

Q. Have you how many pounds you had.

A. Nol

Q. How many have you made this year.

A. 97 bags on one place and 53 on another, that makes 160 bags made this year.

Q. How did you get the rent on that property.

A. I figured from a one-third standpoint as brother had always figured on a basis of one-thrid.

Q. What did Mr. Munford figure on getting out of it last year.

A. Just one-half of that because he owned _____. It amounted to about \$150.

Q. You get two-thirds and one-half of what you and she made together. Do you mean to say her ^{of peanuts} crop/for the year 1921 from the farm was \$150. and that your part would \$400. for the time you have no record of.

A. No, I don't mean that at all. What I do mean is all here on this paper and will be in the record.

Q. Please state whether or not Alonzo Munford ever took possession and owned this property under his father's will.

A. He never did.

Question by S. E. Everett: When you say you got rent of \$101.05 last year, you mean that you got that as Administrator.

A. No, sir, as an individual. The whole proceeds of the crop, less one-half, was deposited to me, as Ad-

ministrator, of the estate, then after it was figured out our prorata part of that, after these expenses were paid, was \$51.00 apiece.

Q. You took some in as Administrator of Hobday Munford.

A. Yes.

Q. That is in the amount on the account there.

A. Yes.

Q. How did you work that place after his death.

A. He was working on wages. I got Mr. Chapman to take the farm and rent it on shares.

Q. Do you remember now what you got as Administrator in 1921.

A. I sold all of the peanuts and all of the crop I got for rent and credited it in the account and paid to myself and sister \$101.05.

Question by John K. Hutton;

I understand you purchased the interest of Robert L. Munford in the estate of Alonzo Munford, whatever that might be.

A. Yes.

Q. That is shown by deed on record in the Clerk's Office of the Circuit Court of Isle of Wight County.

A. Yes, I don't remember the date.

Q. He has been gone you say twenty-seven years.

A. Fully twenty-seven years.

Q. What other interest did you purchase.

A. None other.

Q. You purchased some life estate in the Cofer Farm.

A. The Cofer Farm was given to Alonzo for life and I purchased his interest in it.

And further this deponent saith not.

Mr. E. B. Ramsey, being duly sworn, deposes as follows;

Q. Give your name, age and residence, and occupation.

A. E. B. Ramsey, 52, near Mills Swamp, Isle of Wight County, Virginia, farmer

Q. Do you know anything of the Cofer Farm, which was owned at one time by Nathan Munford in your neighborhood.

A. Known it all my life.

Q. What do you consider a fair value for it.

A. \$3,000.00.

Q. Do you ~~xxxxxx~~ include the lumber in that.

A. Yes, everything.

Q. What is the character of the land.

A. Real light, sandy.

Q. How much in wood.

A. I don't know the acerage, 75 in woods, 100 in the whole place.

Q. What character is the woodland, high or low.

A. High.

Q. Good timber.

A. Yes.

Q. What is the condition of the open land.

A. Best in the country.

Q. Any fences.

A. Very few.

Q. Any buildings on it.

A. Very few.

Q. What is their condition.

A. Old.

Q. Would it cost as much to build a new one as to repair the old.

A. I don't know.

Q. How much would the property rent for.

A. Not over \$75.

And further this deponent saith not.

Mr. John A. Ramsey, being duly sworn, deposes as follows;

Q. Give your name, age, residence and occupation.

A. John A. Ramsey, 54, farmer and merchant, live near Smithfield, at Sycamore Crossing, Isle of Wight County,

Q. Do you know the parties to this suit.

A. Yes.

Q. Are you well acquainted with the Cofer Tract of land, which was owned by Nathan Munford.

A. Fairly, I have not lived over five miles from it in my life.

Q. What would you say ^{was a fair value for} ~~that the value of~~ the property

A. Between \$4,500. and \$5,000.

Q. What would you consider a fair rental value per year for the property.

A. Well, not over \$75.

Q. When did Mrs. Nathan Munford, his last wife, die, as well as you can remember.

A. The 15th day of February, 1902 or 1903.

Q. Please state what was a fair rental value of the Cofer Farm when N. B. H. Munford went into possession of it.

A. \$150.00

And further this deponent saith not.

J, E. Bradshaw, being duly sworn, deposes as follows;

Q. Give your name, age, residence and occupation.

A. J. E. Bradshaw, 45, Isle of Wight County, farmer.

Q. Are you acquainted with the tract of land in Isle of Wight County, known as the Nathan Munford Home Place, and if so, please state what you think is a fair fee simple value to be placed upon it.

A. Around \$2,500.00

Q. Is there any mill timber on that land.

A. Very little.

Q. What is the condition of the buildings on the land.

A. Very bad.

Q. How many acres of cleared land.

A. Say fifty acres.

Q. What do you think a person would consider to pay for a year's rent for that land in money.

A. \$225.00

And further this deponent saith not.

E. T. Rowell, being duly sworn, deposes as follows;

Q. Give your name.

A. E. T. Rowell.

Q. Are you acquainted with the Nathan Munford Home Place in Isle of Wight County.

A. Yes.

Q. What do you think is a fair value for that piece of land.

A. \$2,500.00

And further this deponent saith not.

John M. Eley, being duly sworn, deposes as follows:

Q. Give your name, age, residence and address, occupation.

A. John M. Eley, age 54 years, Brewer Ave., Suffolk, Virginia, farmer and broker.

Q. Are you familiar with the R. L. Munford tract of land.

A. Yes.

Q. Will you please give what you think is the fee simple and annual value of this tract.

A. \$2,750.00 is about the fee simple value and it should bring in anywhere from \$80. to \$100, or \$125. rent per year.

Q. Do you think it could be divided to any advantage among the parties entitled to the same.

A. No, better sell and divide the funds.

And further this deponent saith not.

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

Mollie Diana Munford, Charles
T. Munford, Ocie H. Gay and
John L. Gay, Jr., ... Complaints.

V

V) Chancery No. _____

Z. V. Johnson Nora Tucker,
Floretta Johnson, Jennie
Munford, Annie Bradshaw,
George Johnson, H. M. John-
son, Theodosia Butler, Ber-
nice, Rowell, Rufus Bowden,
Cléo Lee Wixton, Leath Parrish,
Vivian Bennett, C. T. Munford,
administrator of N. B. H. Munford,
deceased, and Norris Wilton Johnson,
thelast being an infant under the
age of twenty one years, ... Defendants.

Upon the motion of the complaints, by counsel, C. B. Godwin, Jr. a
discreet and competent attorney at law, practicing in this court, is hereby
appointed as guardian ad litem for Norris Wilton Johnson, the infant defendant ,
herein, to defend his interests.

R. A. Edwards Clerk.

4
Virginia: In the Circuit Court
of Isle of Wight County.

Munford et als
v* Chancery. No. 390.
Johnson et als.

Order appointing 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.

Mollie Diana Munford,
Charles T. Munford,
Ocie H. Gay,
John L. Gay, Jr.,.....Complainants.

vs) Chancery. No. _____

Z. V. Johnson, Nora Tucker,
Floretta Johnson, Jennie
Munford, Annie Bradshaw,
George Johnson, H. M. Johnson,
Theodosia Butler, Vivian Bennett,
Bernice Rowell, Rufus Bowden,
Clio Lee Wixon, Leah Parrish,
Chas. T. Munford, Admr. of N. B. H. Munford,
and Norris Wilton Johnson,
the last named being an
infant under the age of
twenty one years,.....Defendants.

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

Issue
summons for defendants to answer a bill in chancery of the complainants Third Monday in July, 1922.

Johnson p.q.

Direct process for Z. V. Johnson and Nora Tucker to Sgt. City of Danville, Virginia.

For Jennie Munford to Sgt. City of Suffolk, Virginia.

For George Johnson to Sgt. City of Suffolk, Virginia.

For Clio Lee Wixon to Sgt. City of Norfolk, Virginia.

For Leah Parrish to Sheriff Brunswick County, Virginia.

All of the rest to Sheriff Isle of Wight County, Virginia.

Appoint George F. Whitley guardian ad litem for the infant defendant, Norris Wilton Johnson. This appointment may be made at the rules to which process is returnable.

No 1 in 390

Virginia: In the Circuit
Court of Isle of Wight Coun-
ty.

Munford's heirs

vs) Chancery. No. 390

Munford's heirs.

Memorandum.

Filed -

June 21-1922.

Atty. R. W. Edmunds.

cc

Dup. 750

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.

Munford etc.

v) Chancery. 390.

Munford, etc.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of C. T. Munford, administrator of the estate of N. B. H. Munford, deceased, 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 since the entry of the decree herein, directing distribution of the balance of the funds in the hands of the said administrator, that Mollie Diana Munford has departed this life, and by her last will and testament, duly proved, in the County of Pitt, in the State of North Carolina, a copy of which has been entered of record in the Clerk's Office of this court, made C. T. Munford, one of the parties to this suit, her sole beneficiary; entitling him to her share and portion of the estate of the said N. B. H. Munford; and it further appearing that H. M. Johnson, one of the parties to this suit, has, also, departed this life, and by his last will and testament, duly proved and entered of record in the Clerk's Office of this court, made Annie Bradshaw, his sister his sole beneficiary; and, it also appearing that an error was made in the report of the commissioner, showing the proper manner in which distribution of the balance remaining in the hands of the administrator, after the payment of the costs of administration, and the debts of the said N. B. H. Munford, due to the estate or to the distributees of N. H. Johnson, in that it did not take into consideration Laura V. Johnson, widow of the said N. H. Johnson, the proper method of distribution of said share being one third to the widow and one third of the balance to each of the children of the said N. H. Johnson, namely, Clio Wixon, Leah Parish

and Noris Johnson; and it appearing that the said C. T. Munford, administrator as aforesaid, has paid to himself the share and portion due the estate of the said Mollie Diana Munford; the share and portion of said estate due to the said H. M. Johnson to his legatee, the said Annie Bradshaw; and the share and portion of the estate accruing to the estate of N. H. Johnson, one third to the widow of the said N. H. Johnson, and the balance in three equal amounts to the three children of the said N. H. Johnson, the entire account of the said administrator being stated in said report as follows:

Received from sale of chattel estate	\$2913.80
Received from W. E. Gray, trustee, balance on sale of N. B. H. Munford land,	1998.00
Received from Bank of Zuni interest on the said balance while it was in said bank awaiting distribution,	673.58
Paid out on items shown by account filed with the report of Commissioner Edwards and confirmed by decree heretofore entered,	\$1832.50
Paid to C. T. Munford, share of Mollie D. Munford, rent from the Cofer place,	250.00
Paid to C. T. Munford for his share of rent from the Cofer place,	250.00
Paid to C. T. Munford, share of Mollie D. Munford for rent from the Munford home place,	988.64
Paid to C. T. Munford for his share of rent from the Munford home place,	988.64
Paid administrator's commissions to C. T. Munford, administrator,	279.26
Paid R. A. Edwards, bond premiums,	80.00
Paid R. A. Edwards, clerk fees,	30.00
Paid R. A. Edwards, clerk, taxed attorney fee,	15.00
Paid R. A. Edwards, Commissioner fee,	50.00
Paid R. A. Edwards, clerk, writ tax,	1.50
Paid A. S. Johnson, counsel fee,	150.00
Paid expense of administrator from Greenville, N.C., to Virginia, to attend hearings in suit and for special attention,	35.00
Balance left in hands of administrator for distribution among the heirs of N. B. H. Munford,	634.84
	\$5585.38 \$5585.38

Distribution of balance made as follows:

To Floretta Johnson,	1/12,	her share,	52.90
To Nora Tucker (Johnson)	1/12,	her share,	52.90
To Z. V. Johnson,	1/12,	his share	52.90
To Jennie Munford,	1/16,	her share,	39.70
To Ocie H. Gay,	1/32,	his share,	19.84
To John L. Gay, Jr.,	1/12,	his share,	19.84
To Everett & Hutton, attor-			
neys for:			
George Johnson,	1/48,	his share,	13.22
To Everett & Hutton, attor-			
neys for Vivian Bennett,	1/48,	her share,	13.22
To Annie Bradshaw,	1/48,	her share,	13.22
To Annie Bradshaw,	1/48,	share of H.M. Johnson,	13.22
To Laura V. Johnson,	1/144,	her share,	4.41
To Chio Wixon,	1/432,	her share,	2.94
To Leah Parish,	1/432,	her share,	2.94
To Norris Johnson,	1/432,	his share,	2.94
To Theodosia Butler,	1/144,	her share,	4.41
To Bernice Rowell,	1/144,	her share,	4.41
To Rufus Bowden,	1/144,	his share,	4.41
To C. T. Munford,	1/4	his share,	158.71
To C. T. Munford,	1/4	share of Mollie D.	
		Munford,	158.71

aggregating \$634.84:

Upon consideration, whereof, ~~it appearing to the court that the payments~~
~~and distributions herein shown are~~ correct, according to law, it is adjudged, or-
 dered and decreed that the said report be, and is, hereby, confirmed.

And nothing remaining to be done in this cause it is ordered that it be
 stricken from the docket.

Distribution of balance as follows:

Mumford
N# 390

~~Mumford~~
Johnson.

Deere

1933

July 31

Enter this
10/24/33

Pharmacy Order Book 9 -
Page 112

Rec'd 6/28/35

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT
MARCH 6th 1933.

Munford et als

vs: # 390

Johnson et als

IT APPEARING that this cause has been on the docket of this Court for more than two years, and that no order has within said period been entered herein, it is therefore ordered, pursuant to the provisions of Section 6172 of the Code of Virginia, as amended, the Clerk of this Court be directed to notify the parties to this cause, if known, or their counsel of record, at his or their last known address, in writing, at least fifteen days before the 25th day of April, 1933, so that on said day all parties named have an opportunity to be heard, and that, except for good cause to then be shown, this cause will be removed from the docket for failure to prosecute the same to a final decree.

Manfred et al.

W# 390

Johnson et al. ---

C.O.B # 9

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

Mollie Diana Munford, Charles T. Munford,
Ocie M. Gay and John L. Gay, Jr., ... Complainants.

Vs) Chancery No. 390

✓ Z. V. Johnson, ✓ Flora Tucker, ✓ Floretta Johnson, ✓ Jennie
Munford, ✓ Annie Bradshaw, ✓ George Johnson, ✓ H. M. Johnson,
✓ Theodosia Butler, ✓ Bernice Rowell, ✓ Rufus Bowden, ✓ Clio
Lee Wixon, ✓ Leah Parish, ✓ Vivian Bennett, ✓ C. T. Munford
administrator of N. B. H. Munford, deceased, and Norris
Wilton Johnson, the last named being an infant under the
age of twenty one years, and C. B. Godwin, Jr., guardian
ad litem for the infant defendant Defendants

This cause came on this day to be again heard
upon the papers formerly read, and upon the report of R. A.
Edwards, Commissioner in Chancery, filed herein on the 30th.
day of November, 1929, to which there is no exception, and
was argued by counsel; and it appearing from said report:

That the real estate in the bill and proceedings
in this suit mentioned, the same being designated as the Coler
tract and the R. L. Munford tract, under the will of Nathan
Munford, deceased, belong to Mollie Diana Munford and C. T. Mun-
ford;

That there are no liens of record against said
real estate:

That upon the death of N. B. H. Munford, who died
intestate and without issue, he owned some chattel property, which
was sold by his administrator, and which, according to the amount
of sale filed herewith, brought the sum of \$721.76:

~~That~~ prior to his death N. B. H. Munford occupied the tracts of land herein designated as the Cofer tract, and the R. L. Munford tract, and was entitled to one third of the farm share, and the said C. T. Munford and Mollie Diana Munford being entitled to the other two thirds of the farm share, the annual value thereof being one hundred and fifty dollars, and he occupied it for five years preceding his death: ~~that~~ The aggregate value of the R. L. Munford tract appears to have been \$8897.70 for the years 1916, 1917, 1918, and 1919, two thirds of which belonged to the tenant and the remaining third belonging to said N. B. H. Munford, C. T. Munford and Mollie Diana Munford, that is to say \$988.63 each:

~~That~~ the administrator of N. B. H. Munford appears to have disbursed \$1832.50 and has received \$2913.80. That there is in Bank of Zuni, belonging to the estate of said N. B. H. Munford, the sum of \$1998.00, received as a balance from the sale of a tract of land of which he died seized, upon which there was a deed of trust, the same being sold by the trustee:

~~That~~ the said N. B. H. Munford's estate owns no real estate: ~~and~~

~~That~~ the personal estate of the said N. B. H. Munford should be distributed as follows:

To C. T. Munford, a brother of the whole blood,	1/4
To Mollie Diana Munford, a sister of the whole blood,	1/4
To Floretta Johnson, daughter of Alice, deceased, a sister of the whole blood,	1/12
To Z. T. Johnson, a son of said Alice,	1/12
To Nora Johnson, a daughter of said Alice,	1/12
To George T. Johnson, a son of Udora Ann, deceased, a sister of the half blood	1/48
To Mills H. Johnson, a son of said Udora Ann,	1/48
Vivian Bennett, a daughter of said Udora Ann,	1/48
To Annie E. Bradshaw, a daughter of said Udora Ann,	1/48
Clio Wixon, a daughter of Herbert Johnson, deceased, a son of said Udora Ann,	1/144

Leah Parish, a daughter of said Herbert,	1/144
Norris Johnson, a son of said Herbert,	1/144
Theodosia Butler, a daughter of Cattie Bowden, deceased, a daughter of said Udera Ann,	1/144
Fernice Howell, a daughter of said Cattie,	1/144
Rufus Bowden, a son of said Cattie,	1/144
Jennie Munford, a daughter of George Munford deceased, a brother of the half blood,	1/16
Ocie H. Gay, a son of Georgie Gay, deceased, a daughter of the said George,	1/32
John Letcher Gay, Jr., a son of said Georgie,	1/32

Upon consideration, 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 appraisement and account of sales of said N. B. H. Munford's estate, attached to said report, be recorded in the current record for such accounts in the office of the Clerk of this Court, reference being made in the certificate of the Clerk to this suit and the ending of this order.

And it is also adjudged, ordered and decreed that after the payment of the costs in this suit, which shall include, the costs of administering the estate of said N. B. H. Munford, he shall distribute, the balance in his hands between and among the several distributees of said N. B. H. Munford, and in the proportions mentioned in the report of Commissioner Edwards *and as herein set forth.*

And it appearing to the Court, that the real estate mentioned in this suit, and the report of Commissioner Edwards, upon the death of Nathan B. Hobbs Munford, without issue, became the property of C. J. Munford and Mollie Diana Munford, it is further adjudged, ordered and decreed that the said report of Commissioner Edwards, finding said real estate to be the property of said C. J. Munford and Mollie Diana Munford, be, and the same is, hereby confirmed.

Virginia: Circuit Court
of Isle of Wight County.

Honford et als.

v) Chancery. 390

Johnson et als.

Note for decree.

Enter this Dec. 18th. 1939.

8-537

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.

Mollie Diana Munford, Charles T. Munford, Ocie H. Gay and John L. Gay, Jr., ...Complainants.

v) Chancery. No. 390.

Z. V. Johnson, Nora Tucker, Floretta Johnson, Jennie Munford, Annie Bradshaw, George Johnson, H. M. Johnson, Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee Wixon, Leah Parish, Vivian Bennett, C. T. Munford, administrator of N. B. H. Munford, deceased, and Norris Wilton Johnson, the last named being an infant under the age of twenty one years, and E. H. Williams, guardian ad litem for the infant defendant.

This cause, in which Mollie Diana Munford, Charles T. Munford Ocie H. Gay and John L. Gay, Jr. are the complainants, and Z. V. Johnson, Nora Tucker, Floretta Johnson, Jennie Munford, Annie Bradshaw, George Johnson, H. M. Johnson, Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee Wixon, Leah Parish, Vivian Bennett, C. T. Munford, administrator of N. B. H. Munford, deceased, and Norris Wilton Johnson, the last named being an infant under the age of twenty one years, are the defendants, came on this day to be heard upon the complainants bill, the said defendants, Z. V. Johnson, Nora Tucker, Floretta Johnson, Jennie Munford, Annie Bradshaw, George Johnson, H. M. Johnson, Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio Lee Wixon, Leah Parish, Vivian Bennett, C. T. Munford, administrator of N. B. H. Munford, deceased, still failing to appear to plead, answer or demur, and upon the answer of the said infant defendant, Norris Wilton Johnson, by C. B. Godwin, Jr. his guardian ad litem, duly appointed at rules, and upon the answer of the said guardian ad litem, and upon general replication to said answers, and was argued by counsel:

On consideration whereof the Court doth adjudge, order and decree, that one of the commissioners of this court, to whom shall

defendants residing in this state) except as to Floretta Johnson, a non resident and who has been served with process by personal service, return of same being made under oath, as required by Section 6091 of the Code of Virginia 1919.

be referred the papers in this cause, ~~he~~ shall inquire into and report to the court:

1. Whether the real estate in the bill and proceedings of this suit mentioned can be conveniently divided among the parties entitled thereto:

2. If the real estate in the bill mentioned cannot be divided, conveniently, among the parties entitled thereto, whether any party in interest will take the entire property and pay the others for the respective interests therein:

3. If the same cannot be conveniently divided among the parties entitled thereto, and if no party will take the entire property and pay the others for their respective interests therein, whether the interests of those entitled thereto will be promoted by a sale of the entire property, or by an allotment of a part and a sale of the residue.

4. What estate, real and personal, the parties hereto, or any of them, are entitled to, either from the estate of Nathan Munford, (or Mountfourd), the estate of N. B. H. Munford, or the estate of Robert L. Munford, and what are their respective interests therein.

5. If there are any liens against any real estate which is the subject matter of this suit, for delinquent taxes or otherwise, with their priorities, if any.

6. Of what personal estate N. B. H. Munford died siezed and possessed; who, if any one, has been appointed and has qualified as administrator of the estate of the said N. B. H. Munford, deceased; and if the debts of the said N. B. H. Munford have been paid,

7. Who are the proper parties to this suit, and if they are properly before the Court, and their respective ages and residence.

Author has respect to interest and how acquired.
Which said several inquiries the said commissioner shall make, and to the court report, together with any matter specially stated, deemed pertinent by himself, or required by any party to be stated. And any evidence taken by him shall be reduced to writing and returned with his report.

6
Virginia: In the Circuit
Court of Isle of Wight Co.

Munford's heirs

v) Chancery. No. 390

Munford's heirs.

Note for decrees.

Enter this

14 22
NW. 8 th
BDW.

Entered in Chancery Order

Book No. 8, page 126

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.

Munford, etc.

v) Chancery. 390.

Munford, etc.

To Honorable B. D. White,

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

The undersigned, C. T. Munford, administrator of the estate of N. B. H.
Munford, deceased, beg leave to make his final report as follows:

That he has received and disbursed the funds coming into his hands as
such as shown below:

Received from sale of chattel estate	\$ 2913.80
Received from W. E. Gray, trustee, bal- ance on sale of N. B. H. Munford land, heretofore in this suit referred to	1998.00
Received from Bank of Zuni, interest on the said balance while it was in the said bank awaiting distribution,	673.58
 Paid out items shown by account filed with the report of Commissioner Edwards, filed herein and confirmed by decree heretofore entered,	 1832.50
 Paid to C. T. Munford, sole beneficiary under the will of Mollie D. Munford, de- ceased, for her share of the rent from the Cofer place	 250.00
Paid to C. T. Munford for his share of the rent for the Cofer place,	250.00
Paid to C. T. Munford, sole beneficiary under the will of Mollie D. Munford, de- ceased, for her share in the rent of the Munford home place,	 988.64
Paid C. T. Munford for his share of the rent for the Munford Home place, (these items of rent were due by N. B. H. Munford at the time of his death, to said C. T. Munford and Mollie D. Munford)	 988.64
 To paid commissions to C. T. Munford, administrator,	 279.26
To paid R. A. Edwards, bond premiums,	80.00
To paid R. A. Edwards, clerk fees,	30.00

To paid R. A. Edwards, Clerk, taxed atty fee,	15.00
To paid R. A. Edwards, Commissioner in Chancery, fee,	50.00
To paid R. A. Edwards, Clerk, writ tax,	1.50
To paid A. S. Johnson, Counsel fee,	150.00
To paid expense of administrator from Greenville, N.C., to Virginia, to at- tend hearings in suit, and for special attention,	35.00
Balance left in hands of administrator for distribution among the heirs of N. B.H. Munford, deceased,	
	<u>634.84</u>
	<u>\$5585.38 \$ 5585.38</u>

Distribution made of balance as follows:

To Florette Johnson,	1/12,	her share,	52.90
To Nora Tucker, (Johnson)	1/12,	her share,	52.90
To Z. V. Johnson,	1/12,	his share,	52.90
To Jennie Munford,	1/16,	her share,	39.70
To Ocie H. Gay,	1/32,	his share,	19.84
To John L. Gay, Jr.,	1/32,	his share,	19.84
To George Johnson's atty	1/48,	his share,	13.22
To Vivian Bennett's atty	1/48,	her share,	13.22
(Everett & Hutton, atty's for two last above named)			
To Annie Bradshaw,	1/48,	her share,	13.22
To Annie Bradshaw, legatee of Mills H. Johnson,	1/48,	his share,	13.22
To Laura V. Johnson,	1/144,	her share,	4.41
To Clio Wixon,	1/432,	her share,	2.94
To Leah Parish,	1/432,	her share,	2.94
To Norris Johnson,	1/432,	his share,	2.94
To Theodosia Butler,	1/144,	her share,	4.41
To Bernice Rowell,	1/144,	her share,	4.41
To Rufus Bowden,	1/144,	his share,	4.41
To C. T. Munford,	1/4,	his share,	158.71
To C. T. Munford,	1/4,	share of Mollie D. Mun- ford,	<u>158.71</u>
			634.84

The court's attention is directed to the fact that Mollie D. Munford, one of the parties to this suit, and who takes, along with C. T. Munford, a share in the real estate mentioned, as set forth in said suit, who was entitled to one half of the rent accrued on said land, payable by the estate of the said N. B. H. Munford, and who was entitled to a part of the balance last above shown, prior to the distribution by the administrator, departed this life a resident of Pitt County, in the State of North Carolina, and by her last will and testament, gave all her property, of every kind, character and description, to her brother, C. T. Munford, one of the parties to this suit, but as administrator of N. B. H. Munford and in his own right, all of which will appear by a copy of the will of the said Mollie D. Munford, duly probated in the Superior Court of Pitt County, North Carolina, on the 18th. day of January, 1929, properly authenticated, and entered

of record in the Clerk's Office of this court, as of the 6th. day of April, 1929, in Will Book 35, page 187. The Court's attention is called, again, to the fact that before distribution was made by the said administrator, of the balance due to the heirs of the said N. B. H. Munford, that Mills H. Johnson departed this life, and by his last will and testament, proved and entered of record on the 18th. day of August, 1926, in the Clerk's Office of this court, made Annie Bradshaw, his sister, his sole beneficiary. Therefore, the said C. T. Munford became, upon the proof of the will of the said Mollie D. Munford, entitled to her share in all of the proceeds of the estate of the said N. B. H. Munford, both as creditor and heir, and the said Annie Bradshaw became, upon the proof of the will of the said Mills H. Johnson, entitled to his share in said estate, or after two years from the proof thereof, which time has now elapsed, in both cases mentioned.

The administrator wishes to call attention to the court of an error made in the report of the Commissioner as to the parties entitled to share in the portion of the estate of the said N. B. H. Munford going to those properly claiming through N. H. Johnson. The said N. H. Johnson left a widow, Laura V. Johnson, and three children, Clio Wixon, Leah Parish and Norris Johnson. Instead of the three children taking all of the share accruing to said N. H. Johnson, of which would have been his had he lived, his widow is entitled to one third and the children one third of the balance. Distribution has been made correctly.

All of the money accruing to Mollie D. Munford has been paid to the said C. T. Munford, as her sole devisee and legatee, under the last will and testament before mentioned.

Respectfully submitted,



Administrator of the estate of N.B.H.
Munford, deceased.

Mumford at als

as Cy # 390

Mumford at als

Report of Admstr.

7-3-33.

Receipt of the following items fro, C. T. Munford, administrator of
the estate of N. B. H. Munford, deceased, is hereby acknowledged.

Shares of rent from the Cofer place and the Home place, accruing to Mollie D. Munford,	\$1283.60
My share of rent from the Home place and the Cofer places	1283.60
Commissions due me as administrator,	279.26
Expense of travel for administrator,	35.00

Greenville, N.C.

June 29th 1933

Mr R.A. Edwards Clerk of. Is. of Wight Co Va
Is. of Wight
Va

Dear Mr Edwards:-

Mr A.S. Johnson has sent me
this paper that I am writing to you for me
to sign and mail to you - and you would be
the Judge and have him to sign and close
this long standing matter up - Please see
that this is attended to at once and advise

P.S.

Yours very truly

B.T. Manford

After getting it closed
or it should be, if there
is anything more due you
for your trouble, let me know.

Received of C. T. Mumford, Administrator of the
Estate of N. B. H. Mumford, deceased, the full sum of
One Hundred Fifty Eight Dollars and Seventy One Cents,
(\$158.71), to each of us in full settlement of our res-
pective shares in the Estate of N. B. H. Mumford, deceased.
Given under our hands this the 20th. day of December, 1929.

C. T. Mumford

M. D. Mumford

By C. T. Mumford
Sole devisee of N. B. H. Mumford.

THE FINAL ACCOUNT ~~ON~~ THE ESTATE OF N.B.H. MUNFORD, DECEASED.

RECEIPTS:

From sale of chattel estate and from crops sold, as per statement filed with report of Commissioner,	\$2913.80
From W. E. Gray, Trustee, balance from sale of N. B. H. Munford land, Interest on \$1998.00, deposited in Bank of Zuni,	1998.00 673.58

DISBURSEMENTS:

Indebtedness of estate of N. B. H.
Munford, paid as follows:

Items as per account filed with Com- missioner's report,	\$1832.50
Due to Mollie D. Munford, for rent of Cofer farm,	250.00 ✓
Due to C. T. Munford, for rent of Cofer, farm,	250.00 ✓
Due Mollie D. Munford, for rent of Mun- ford farm,	988.64 ✓
Due C. T. Munford, for rent of Munford farm,	988.64 ✓
Commission to administrator on receipts,	279.26 ✓
Bond premiums paid,	80.00
Clerk fees,	30.00
Commissioner's fees,	50.00
Writ tax on suit,	1.50
Taxed Attorned fee,	15.00 ✓
Counsel for administrator,	150.00
Expense of administrator coming to Virginia,	35.00
BALANCE,	634.84
	\$5585.38 \$5585.38

BALANCE TO BE DISTRIBUTED TO HEIRS: \$ 634.84

To Florretta Johnson,	\$ 52.90 ✓
To Nora Tucker (Johnson),	52.90 ✓
To Z. V. Johnson,	52.90 ✓
To George Johnson,	13.22 ✓
To Mills H. Johnson,	13.22 ✓
To Vivian Bennett,	13.22 ✓
To Annie Bradshaw,	13.22 ✓
To. Clio Wixon,	2.94 ✓
To Leah Parish,	2.94 ✓
To Norris Johnson,	2.94 ✓
To Thoedasia Butler,	4.41 ✓
To Bennice Rowell,	4.41 ✓
To Rufus Bowden,	4.41 ✓
To Jennis Munford,	39.70 ✓
To Ocie H. Gay,	19.84 ✓
To Hohn L. Gay, Jr.	19.84 ✓
To C. T. Munford,	158.71
To M. D. Munford,	<u>158.71</u>
TOTAL DISTRIBUTED TO HEIRS.....	\$ 634.84 <u>634.84</u>

C. T. Munford
Administrator of the Estate of
N. B. H. Munford, deceased.

L. J. Mumford
ap

Call on Stephen

Had to take to

Receipt, from the administrator of N. E. H. Munford, deceased, of the following items, is hereby acknowledged.

For writ tax on suit,	\$ 1.50
For clerk fees in suit,	30.00
For commissioner's fee,	50.00
For bond premiums,	80.00
For taxed attorney fee in suit,	<u>15.00</u>
	186.00

R. A. Edwards,
ah

COUNTER CHECK

DUPLICATE

ZUNI, VA., December 20th. 1929 No.

BANK OF ZUNI $\frac{68-544}{5}$

PAY TO THE
ORDER OF

Annie Bradshaw,

\$ 13.22

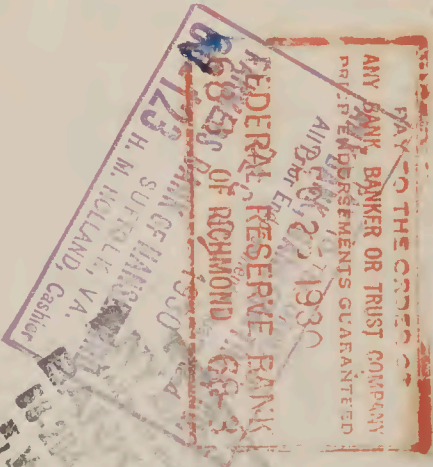
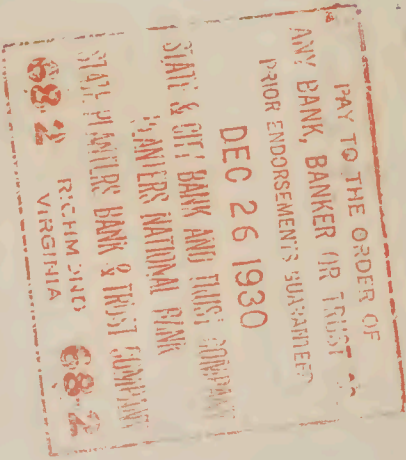
DOLLARS

FOR share M.H. Johnson in estate of B.H. Munford, deceased, she being devisee of M.H. Johnson.

B.H. Munford

Administraror.

Amie E. Bradshaw
E. H. Bradshaw



ZUNI, VA. *Dec 20* 19*29* No. _____

BANK OF ZUNI $\frac{68\ 544}{5}$

PAY TO THE
ORDER OF

Annie Bradshaw

\$ *13.22*

Thirteen

22/100

DOLLARS

FOR

Share in 1st of NBN Bank

G.T. Munford

Adm of NBN Munford

Annie Bradshaw
E. H. Bradshaw

68-2

RICHMOND
VIRGINIA

68-3

STATE FARMERS BANK & TRUST CO.

STATE

FEDERAL

OF RICHMOND

68-3

JAN 28 1930
RESERVE BANK

ANY

ENDORSEMENT

JAN 29 1930

PAY TO THE ORDER OF

ANY BANKER, BANKER OR TRUST COMPANY

PAY TO THE ORDER OF
ANY BANK OR BANKER

BANK OF CREWE
CREWE, VA.

68-204

E. W. SHEFFIELD, Cashier

JAN 29 1930

68-123

H. W. MELLAND, Cashier

COUNTER CHECK

ZUNI, VA., Dec. 20th. 1929 No.

DUPLICATE

BANK OF ZUNI ⁶⁸⁻⁵⁴⁴/₅

PAY TO THE
ORDER OF

Clio Wixon

\$ 2.94

THE SUM OF \$2 AND 94 CTS

DOLLARS

FOR her share in estate of N. B. H. Mumford, deceased.

C. T. Mumford

Administrator.

Clio Wilcox

D. P. STORE No. 132
237 W. 17th St.

PAY TO THE ORDER OF
VIRGINIA NATIONAL BANK
NORFOLK, VA.
FEDERAL RESERVE BANK

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST
PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST
PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST
JAN 21 1931
FEDERAL RESERVE BANK
OF RICHMOND
RICHMOND, VA.

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST
JAN 21 1931
FEDERAL RESERVE BANK
OF RICHMOND
RICHMOND, VA.

COUNTER CHECK

DUPLICATE

ZUNI, VA., December 20th. 1929 No.

BANK OF ZUNI ⁶⁸⁻⁵⁴⁴/₅

PAY TO THE
ORDER OF

Leah Parish

\$ 2.94

RECEIVED
SUM OF \$2 AND 94 CTS

DOLLARS

FOR her share in estate of N. T. H. Munford, deceased.

B. T. Munford

Administrator.

beach Parish

PAY TO THE ORDER OF
ANY BANK, BANKER OR REMITTER
ALL OTHERS PROHIBITED
JAN 10 1931
FARMERS BANK OF MARYLAND
SHELTON, VA.
60-173

PAY TO THE ORDER OF
ANY BANK, BANKER OR REMITTER
ALL OTHERS PROHIBITED
PRIOR ENDORSEMENT REQUIRED
JAN 8 1931
FARMERS BANK OF MARYLAND
SHELTON, VA.
60-173

OFFICE OF THE COMMISSIONER OF LANDS
AND SURVEYS
MONTGOMERY, VIRGINIA 22060

COUNTER CHECK

ZUNI, VA., December 20th. 1929 No.

DUPLICATE

BANK OF ZUNI

$\frac{68-544}{5}$

PAY TO THE
ORDER OF

Norris Johnson

\$ 2.94

THE SUM OF \$2 AND 94 CTS

DOLLARS

FOR his share in estate of N. B. H. Munford, deceased.

G. T. Munford

Administrator.

Harris Johnson

D. P. STONE No. 130
237 W. 17th St

PAY TO THE ORDER OF
ANY BANKER OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEED
JAN 5 1931
JAN 6 1931
JAN 7 1931
RESERVE BANK
RICHMOND, VA.
PLANTERS NATIONAL BANK & TRUST COMPANY
RICHMOND, VA.
H. M. HOLLAND, Cashier

THE ORDER OF
NATIONAL BANK
COMPANY

COUNTER CHECK

ZUNI, VA., December 20th 1929 No.

BANK OF ZUNI ⁶⁸⁻⁵⁴⁴/₅

PAY TO THE
ORDER OF

Theodosia Butler

\$ 4.41

JAN 10 1930
THE SUMMITT AND CO
BANK OF ZUNI

DOLLARS

FOR her share in estate of N.E.H. Munford, deceased.

G.T. Munford

Administrator.

J R Bawler
adm of
Theodorid Butler
Este

COUNTER CHECK

DUPLICATE

ZUNI, VA., December 20th. 1929 No.

BANK OF ZUNI $\frac{68-544}{5}$

PAY TO THE
ORDER OF

Laura V. Johnson,

\$ 4.41

THE SUM OF FOUR AND 1/10 CTS

DOLLARS

FOR her share of the estate of, H. B. H. Munford, deceased

H. T. Munford

Administrator.

Laura V. Johnson.

D. P. STONE No. 100
17th St

ORDER OF THE ORDER OF
ANY BANK OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEE
JAN 5 1931
STATE & CITY BANK AND TRUST COMPANY
RICHMOND VIRGINIA
STATE OF VIRGINIA BANK

BANK

PAY TO THE ORDER OF
ANY BANK OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEE
JAN 7 1931
RICHMOND VIRGINIA
H. H. HOLLAND, Cashier

PAY TO THE ORDER OF
ANY BANK OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEE
JAN 7 1931
RICHMOND VIRGINIA
H. H. HOLLAND, Cashier

ZUNI, VA. *Decm 20*

19*29* No.

BANK OF ZUNI

$\frac{68\ 544}{5}$

PAY TO THE
ORDER OF

George H. Mumford

\$ *4.41*

Bank of Zuni
ZUNI, VA.

DOLLARS

FOR

charity est. of N.B.N. Mumford

G.T. Mumford
Adm'r of N.B.N. Mumford

Bernie Russell

R. A. Horn

ZUNI, VA. *Dec 20* 1929 No. _____

BANK OF ZUNI $\frac{68\ 544}{5}$

PAY TO THE
ORDER OF

Prof. Bowden

\$ *4.41*

Four and 41/100

DOLLARS

FOR *shown in est of N.B.H. Mumford*

G.T. Mumford
Adm of N.B.H. Mumford

Refuse. Boarder
5 of Shingles—

COUNTER CHECK

ZUNI, VA., December 20th. 1929 1929 No.

DUPLICATE.

BANK OF ZUNI $\frac{68-544}{5}$

PAY TO THE
ORDER OF

Jennie Munford

\$ 39.70

THE SUM OF \$39 AND 70 CTS

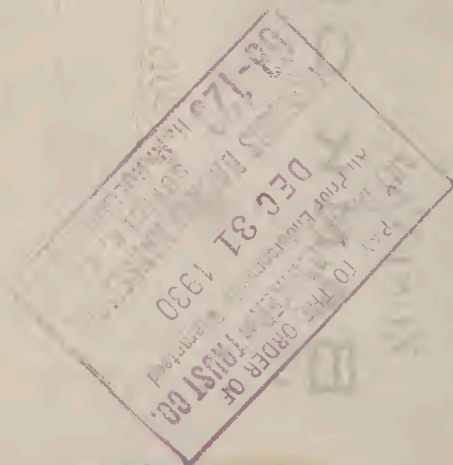
DOLLARS

FOR her share in estate of N. B. H. Munford, deceased.

C. T. Munford

Administrator,

Jennie Mumford
Edward Carroll



COUNTER CHECK

DUPLICATE

PAY TO THE
ORDER OF

NATIONAL BANK OF
TRUSTS, NORFOLK, VA.
DEC. 29 1929
TELLER 4

ZUNI, VA., December 20th. 1929 No.

BANK OF ZUNI

$\frac{68-544}{5}$

Ocie H. Gay

\$ 19.84

THE SUM OF \$19 AND 84 CTS

DOLLARS

FOR his share in distribution of estate of N. B. H. Munford, deceased

C. T. Munford

Administrator.

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Trill

Bank, Banker of

1000

Supplier

29 1930

DEC

DEC 1991

RESERVE BANK
OF RICHMOND 58-3

DEC 30 1930

ALL EIGHT PARKER OR TRUST COMPANY
STAMP ENDORSEMENTS GUARANTEED

COUNTER CHECK

ZUNI, VA., December 20th 1929 No.

DUPLICATE

BANK OF ZUNI $\frac{68-544}{5}$

PAY TO THE
ORDER OF

John L. Gay, Jr.,

\$ 19.84

~~Sum of \$19 and 84 CTS~~

DOLLARS

FOR his share in distribution of estate of N.B.H. Munford, deceased.

G. T. Munford

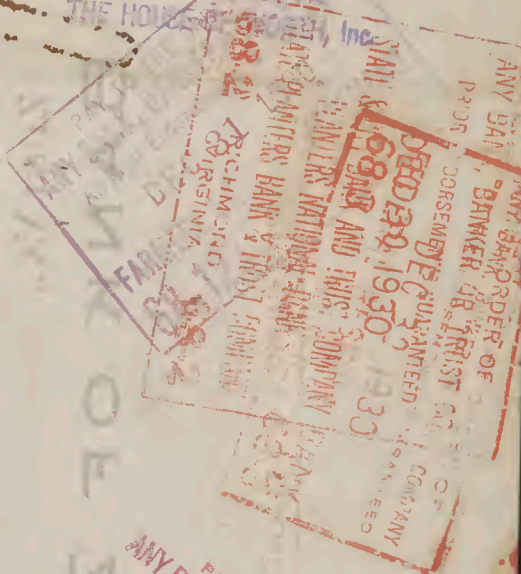
Administrator.

JOHN L. GAY JR

PAY TO THE ORDER OF
THE VIRGINIA NATIONAL BANK

OF NORFOLK, VA

THE HOUSE OF REPRESENTATIVES, Inc.



PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
(All Prior Endorsements Guaranteed)

DEC 29 1930
VIRGINIA NATIONAL BANK

68-47
G. G. GIBBS

CASHIER

COUNTER CHECK

DUPLICATE

ZUNI, VA., December 20th. 1929 No.

BANK OF ZUNI ⁶⁸⁻⁵⁴⁴/₅

PAY TO THE
ORDER OF

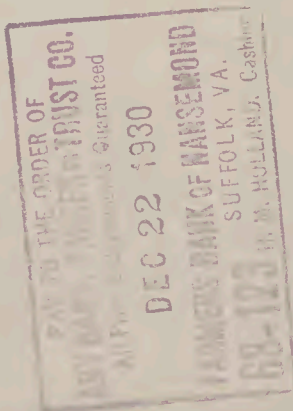
Mess. Everett & Hutton, \$ 26.44

-----Twenty six---44/100----- DOLLARS

FOR shares of George Johnson and Vivian Bennett, in estate of N.B.H.
Munford, deceased.

G. T. Munford Administrator.

Ernest H. Hulse
Humble



ZUNI, VA. *Dec. 20*

19 *29* No.

BANK OF ZUNI

$\frac{68\ 544}{5}$

PAY TO THE
ORDER OF

J. V. Johnson

\$ *52.90*

Fifty two

90/100

DOLLARS

FOR *Share in est of N.B.H. Mumford*

G.T. Mumford
Adm. of N.B.H. Mumford

Josephine

*On Secy
Mrs A C Tucker*

PAY TO THE
ORDER OF
ANY BANK OR
TRUST COMPANY

NOV 18 1930

BALTIMORE TRUST CO
BALTIMORE, MD.

PAID

PAY TO THE ORDER OF
ANY BANK OR TRUST COMPANY
PRIOR ENDORSEMENTS GUARANTEED

NOV 17 1930

CORN EXCHANGE NAT. BANK & TRUST CO

3-18 PHILA. PA.
E. T. JAMES, CASHIER

ZUNI, VA. Dec 20 1929 No. _____

BANK OF ZUNI $\frac{68\ 544}{5}$

PAY TO THE
ORDER OF

Nora Jackson

\$ 52.90

— Fifty two and 90/100

DOLLARS

FOR Share in int of NBN Trust B. T. Mumford
Adm of NBN Trust

Mrs. Mrs. Luckie.

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
ALL PRIOR ENDORSEMENTS GUARANTEED
OCT 8 1930
60-173-10

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
ALL PRIOR ENDORSEMENTS GUARANTEED
OCT 8 1930
60-173-10

ZUNI, VA.

Dec 20

1929

No.

BANK OF ZUNI

68 544
5

PAY TO THE
ORDER OF

Floretta Johnson

\$ 52.90

Fifty-two

90/100-

DOLLARS

FOR Share in Est of N. B. N. Mansford

L. T. Mansford

Adm r. N B N Mansford

Floutta Colman

PAY TO ANY BANK, BANKER OR TRUST CO,
OR ORDER
ALL PRIOR ENDORSEMENTS GUARANTEED

NOV 17 1930
North Carolina Bank & Trust Co.

68-289 SCOTLAND NECK N.C.
PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
All Prior Endorsements Guaranteed

NOV 20 1930
COMMONS BANK OF VIRGINIA

68-289
PAYERS NATIONAL
BANKERS BANK & TRUST
SUFFOLX, VA.
MIDDLEBURY

PAY TO THE ORDER OF COMPANY
ANY BANK, BANKER OR TRUST CO.
ALL PRIOR ENDORSEMENTS GUARANTEED

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

Mollie Diana Munford, Charles T. Munford,
Ocie H. Gay, and John L. Gay, Jr. Complainants

Vs) Chancery No. 390

Z. V. Johnson, Nora Tucker, Floretta Johnson,
Jennie Munford, Annie Bradshaw, George John-
son, H. M. Johnson, Theodosia Butler, Bernice
Rowell, Rufus Bowden, Clio Lee Wixon, Leah
Parish, Vivian Bennett, C. T. Munford, Ad-
ministrator of N. B. H. Munford, deceased, and
Norris Wilton Johnson, the last named being an
infant under the age of twenty one years, and
C. B. Godwin, Jr., guardian ad litem for the
infant defendant Defendants

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

The undersigned, to whom has been referred the papers in
the above entitled cause, for the execution of a decree entered
therein on the 8th. day of November, 1922, respectfully reports:
That after having given notice to all of the parties that he would
on the 29th. day of November, 1922, at his office at the Courthouse
of Isle of Wight County, Virginia, at 11 o'clock, A. M., proceed
to execute the said decree. By agreement of all parties, both
complainants and defendants, the place of hearing was changed from
the Commissioner's Office at Isle of Wight County Courthouse to the
office of S. E. Everett, attorney at law, Suffolk, Virginia, at 11
o'clock, in the morning of the said 29th. day of November, 1922.
That at the hearing there appeared S. E. Everett and John K. Hutton,
attorneys for Vivian Bennett, George Johnson, H. M. Johnson, and
Leah Parish. C. B. Godwin, Jr., Guardian ad Litem, for the infant
defendant, Norris Wilton Johnson, was present in person. John N.
Sebrell, Jr., appeared as counsel for Mollie Diana Munford, and A.
S. Johnson appeared as counsel for C. T. Munford, in his own right
and as administrator of N. B. H. Munford, deceased, Ocie H. Gay,
John L. Gay, Jr., James Munford, Clio Wixon, Floretta Johnson,
Rufus Bowden, Annie Bradshaw, Theodosia Butler, and Bernice Rowell,

Parke P. Deans, counsel for Z. V. Johnson and Nora Tucker did not appear.

At the hearing aforesaid the evidence of C. T. Munford, E. B. Ramsey, John A. Ramsay, E. T. Rowell and John M. Eley was taken, reduced to writing and is filed herewith as a part of this report.

From the evidence so taken and from the pleadings filed in this suit and from the records filed in the Clerk's Office of this Court, your Commissioner is informed and reports as follows:

(1) That the real estate in the bill and proceedings in this suit mentioned cannot be conveniently divided among the parties entitled thereto, if the Court should be of the opinion that all of the parties to this suit have an interest therein.

(2) That in the event a partition is ordered by the court and it is determined that other parties have an interest therein, C. T. Munford and Molly Diana Munford wish to have their interest in the Robert L. Munford place assigned to them in kind.

(3) Under the will of Nathan Munford, sometimes called Mountford, a copy of which is filed herewith, bearing date of October 4th., 1873, admitted to probate in the Circuit Court of this County on the 7th., day of May, 1877, and entered of record in Will Book 20, page 676, and following the provisions of Section 5159 and 5160 of the Code of Virginia, and the doctrine laid down by the Supreme Court of Appeals of the State of Virginia in Drake vs. Blythe, in 108 Vs., page 38; and following the decision of this court in the Condemnation proceedings brought by the Norfolk & Western Railway Company against Nathan Munford's devisees, on the 6th. day of June, 1910, the order for the distribution of the funds decreed to be paid for the land taken in that proceeding having been entered on the 5th. day of December, 1910, both the said Robert L. Munford tract and the Cofer tract, mentioned belong to Molly Diana Munford and C. T. Munford, and the other parties to this suit

have no interest therein. It is determined by your Commissioner that no other parties to this suit than the said C. T. Munford and Molly Diana Munford have any interest in the two tracts of land mentioned, commonly called the Cofer tract and the Robert L. Munford tract, as it manifestly appears in the Will of said Nathan Munford that it was his intention that if any of his children, to whom he had given real estate, should die without issue, that the said real estate should survive to the rest of his children named in the Eighth Clause of his Will. He made this an express condition upon each devise of real estate, and your Commissioner thinks, and so reports, that the devises provided for in the Eighth Clause of the Will were with the same intent; so, that upon the death of either of said children, without issue, the part devised to such child should survive to those left. Your Commissioner, therefore, reports that, Alonza Munford and N. B. H. Munford having departed this life without issue and Robert L. Munford not having been heard of for a period of more than twenty years, and who is now presumed to be dead, and having, so far as your Commissioner is informed, no issue, all of the real estate devised to them including the remainder in item Eight of said Will survives to Charles T. Munford and Molly Diana Munford, and the said Charles T. Munford and Molly Diana Munford are now joint owners in said estate, subject to the said condition of survivorship.

(4) There appear to be no liens of record against any of the real estate in the bill and proceedings in this suit mentioned for delinquent taxes or otherwise.

(5) At the time of the death of said N. B. H. Munford, he owned some personal estate. C. T. Munford was duly appointed and qualified as administrator of his estate and had an appraisal of his property made, which is herewith returned as a part of this report. On the 28th. day of December., 1921, sale was made of the chattel estate of said N. B. H. Munford which aggregated the

sum of \$721.76, the account thereof being herewith returned. The estate of said N. B. H. Munford appears to be indebted to the owners of the Cofer farm, he being tenant thereof (the owners being, according to the view expressed, C. T. Munford and M. D. Munford) for five years preceding the death of said N. B. H. Munford, and which is, at the rate of \$ 150.00 per annum, aggregating the sum of \$ 750.00. The value of the produce from the R. L. Munford tract, of which the said N. B. H. Munford was tenant for the years 1916, 1917, 1918, and 1919, according to the testimony of C. T. Munford, was approximately \$ 8897.70, two ninths of which belong to the land owners and the balance to the said N. B. H. Munford, the land owners being C. T. Munford and Mollie Diana Munford.

An account of the receipts and disbursements of C. T. Munford, administrator of N. B. H. Munford, is also filed herewith, showing expenditures aggregating \$1832.50, and receipts amounting to \$2913.80, leaving a balance due the estate, on this account of \$1081.30. There is, also, a balance in the Bank of Zuni, the principal of which is \$1998.00, and which came from the sale of a tract of land owned in fee by said N. B. H. Munford, and on which J. E. Gray held a deed of trust.

(6) The estate of N. B. H. Munford owned no real estate, and the personal estate, he having died intestate, should be distributed as follows, and in the following proportions:

C. T. Munford, a brother of the whole blood	1/4
Mollie Diana Munford, a sister of the whole blood	1/4
Loretta Johnson, a daughter of Alice, deceased, a sister of the whole blood	1/12
Z. T. Johnson, a son of said Alice,	1/12
Nora Johnson, a daughter of said Alice,	1/12
George T. Johnson, a son of Udora Ann, deceased, a sister of the half blood,	1/48
Mills H. Johnson, a son a said Udora Ann,	1/48

Vivian Bennett, a daughter of said Udora Ann,	1/48
Annie E. Bradshaw, a daughter of said Udora Ann	1/48
Clio Wixon, a daughter of Herbert Johnson, deceased, a son of said Udora Ann	1/144
Leah Parish, a daughter of said Herbert,	1/144
Norris Johnson, a son of said Herbert,	1/144
Theodosia Butler, a daughter of Cattie Bowden, deceased, a daughter of said Udora Ann,	1/144
Bernice Rowell, a daughter of said Cattie	1/144
Rufus Bowden, a son of said Cattie,	1/144
Jennie Munford, a daughter of George Mun- ford, deceased, a brother of the half blood,	1/16
Ocie H. Gay, a son of Georgie Gay; de- ceased, a daughter of said George,	1/32
John Letcher Gay, Jr., a son of said Georgie,	1/32

Respectfully submitted,

R. A. Edwards

Commissioner in Chancery

A Copy
Teste

Clerk

Cop. of Conn. Rept.

Munford & Hudson

DIAGRAM OF THE HEIRS OF NATHAN MUNFORD.

N. B. H. Munford (dead, had wife and one child, all dead)

Apr 16
1921

Alonzo Munford (died unmarried) 1886

Robert L. Munford (left community over twenty years ago)

C. T. Munford (married)

Molly Diana Munford (unmarried)

Z. T. Johnson, Danville, Va.

Apr 1877
Nathan Munford

Alice S. Munford m. Johnson (dead)

Nora Johnson

Retta Johnson (unmarried) Scotland Neck, N.C.

Adora
Adona Anna Munford m. Hartwell Johnson

George T. Johnson

Mills H. Johnson

Annie E. Johnson m. Bradshaw

Herbert Johnson (dead) m.

Cleo Johnson m. Jesse Wixon

Leah Johnson m. Parris

Norris Johnson (Age 12)

Cattie Johnson (dead) m. Bowden

Dosie Bowden m. Butler

Bernice Bowden m. Rowell

Rufus Bowden

Vivian Faircloth m. Bennett

George Munford (dead)

Jennie Munford

Sissy Munford m. John Letcher Gay

Ocie H. Gay

John Letcher Gay, Jr.

1st marriage

2nd marriage

1/2

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

Mollie Diana Munford, Charles W. Munford,
Cele H. Gay and John L. Gay, Jr., ...Complainants

Vs) Chancery No. 290

E.V. Johnson, Nora Tucker, Floretta Johnson, Jennie
Munford, Annie Bradshaw, George Johnson, H.L. Johnson,
Theodosia Butler, Bernice Rowell, Rufus Bowden, Clio
Lee Wixon, Leah Parish, Vivian Bennett, A. T. Munford,
administrator of N.B.H. Munford, deceased, and Morris
Wilton Johnson, the last named being an infant under the
age of twenty one years, and C.B. Joslin, Jr, guardian
ad litem for the infant defendant.....Defendants.

TAKE NOTICE That I shall on the 29th day of November,
1922, at my office at Isle of Wight County Court House, in Virginia,
at 11 o'clock A.M., on that day, proceed to execute a decree entered
in the above entitled cause, on the 8th day of November, 1922, which
requires of the Commissioner's in Chancery of the Circuit Court of
said County of Isle of Wight, to inquire and report to the Court;

1. Whether the real estate in the bill and proceedings
of this suit mentioned can be conveniently divided among the
parties entitled thereto;

2. If the real estate in the bill mentioned cannot
be divided, conveniently, among the parties entitled thereto, whether
any party in interest will take the entire property and pay the
others for the respective interest therein;

3. If the same cannot be conveniently divided among the
parties entitled thereto, and if no party will take the entire
property and pay the others for their respective interests therein,
whether the interests of those entitled thereto will be promoted
by a sale of the entire property, or by an allotment of a part and
a sale the residue.

4. What estate, real and personal, the parties hereto,
or any of them, are entitled to, either from the estate of Nathan
Munford, (or Mountford) the estate of N.B.H. Munford, or the estate
of Robert L. Munford, and what are their respective interests therein.

5. If there are any liens against any real estate which
is the subject matter of this suit, for delinquent taxes or otherwise,
with their priorities, if any.

6. Of what personal estate N.B.H. Munford died seized
and possessed, who, if any one, has been appointed and has qualified
as administrator of the estate of the said N.B.H. Munford, deceased,
and if the debts of the said N.B.H. Munford have been paid.

7. Who are the proper parties to this suit, and if
they are properly before the Court and their respective ages and
residence, and their respective interest and how acquired.

Which said several inquiries the said commissioner shall make, and to the court report, together with any matter specially stated, deemed pertinent by himself, or required by any party to be stated. And any evidence taken by him shall be reduced to writing and returned with his report.

R. A. Edwards
Commissioner in Chancery

Exceeded by delivering ^{3 copies of the same} to each of the within parties on the 22d day of November 1927, within my belief,
Fee \$1.00 Paid M. W. Wilson, Special Agent U.S. Dept. of Justice

Maui Murphy et al

W. J. Harris

J. V. Johnson et al