

1933-008 Chancery Causes: Merchants National Bank, Hampton, Virginia, for v c
Isle of Wight County vs Estelle V. Knight

425

other SURNAMES: Butler, Holland,
Babb, Whitley

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

Merchants National Bank, Hampton, Va.,
and all other creditors of Estelle V.
Knight, who may come in and contribute
to the cost of this suit,.....

Complainants.

v) Chancery. No. 425

Estelle V. Knight,.....

Defendant.

Issue summons in chancery for defendant to answer complainant's
Bill, returnable to Second December Rules, 1923. Direct pro-
cess to Sheriff of Isle of Wight County, Virginia.

G. A. Harris as Johnson Stephens p.q.

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

Deposit of \$7.50 filed herewith.

1
Virginia: In the Circuit
Court of Isle of Wight Co.

Merchants National Bank, etc

v) Chancery. No. 425

Estelle V. Knight,

Memorandum.

Filed Dec. 12th, 1923.

Pro se
Exp 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
MARCH 6th 1933.

Merchants Nat'l Bank of Hampton

vs: # 425

Estelle V. Knight

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.

Merchants Natl BK of
Hampton.

vs # 425

Eslell v Knight.

C.O.B #9

Tag 82.



VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT
APRIL 26TH 1933.

Merchants Natl Bank of Hampton

vs: # 425

Estate of Knight

. It appearing, pursuant to a decree entered herein
on the 6th day of March, 1933, that the parties, or their Counsel,
have been notified by the Clerk of this Court of the terms of
said decree, and no good cause having been shown, it is ordered
that this cause be removed from the docket, with leave to rein-
state the same as provided in Section 6172 of the Code as
Amended.

Merchants Natl Bank Nanytor

25 } # 425

Estelle V. Knight

March TERM 1933. Filed

CLK

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

Merchants National Bank of Hampton, Virginia, and all other creditors of Estelle V. Knight, ~~deceased~~, who may come in and contribute to the costs of this suit:

v) Chancery. 425.

Estelle V. Knight.

This cause, in which there has been filed an amended bill of complaint, and in which Merchants National Bank of Hampton, Virginia, and all others who may come in and contribute to the costs of this suit, are the complainants, and Estelle V. Knight, upon whom personal service of process has been made, she, the said defendant, still failing to appear to plead, demur or answer, came on this day to be heard upon the papers formerly read and upon the said amended bill of complaint, which is taken for confessed as to said defendant, Estelle V. Knight, and was argued by counsel: Upon consideration whereof the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this court, who shall inquire into and report to court:

1. Of what property, ^{or interest therein,} real or personal, Estelle V. Knight, the defendant, is siezed and possessed, where situate, and the annual and fee simple values of any real estate she may be possessed of, a description of same and its location.
2. What liens are of record against the said real estate:
3. If the rents and profits of said real estate will, ^{or interest therein} within five years, pay the lien indebtedness, and the costs of this suit: ^{4. Whether all the proper parties are properly before the court.}
5. Any other matter specially stated, deemed pertinent by the commissioner, or which may be required to be stated by any party in interest.

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

Merchants National Bank etc.,

v). Chancery. No. 425

Estelle V. Knight.

Note for decree.

Enter this:

July 29th., 1925.

*Book 846
page*

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Merchants National Bank of Hampton,
Virginia, and all other creditors of
Estelle V. Knight, who may come in
and contribute to the costs of this
suit.

v) Chancery. 425.

Estelle V. Knight.

This cause, in which it appears that the defendant has been duly served with process, and which matured at the third December Rules, 1923, came on this day to be heard upon the bill of complaint, to which the defendant has not appeared to plead, demur or answer, and was argued by counsel. And the complainant, by counsel, having asked leave to file an amended bill: upon consideration whereof it is adjudged, ordered and decreed that the complainant be allowed to file such amended bill, the same being now, in open court filed. And it is further adjudged, ordered and decreed that this cause be remanded ~~to~~ rules, upon the said amended bill of complaint, and that process issue thereupon, in the manner prescribed by law.

Virginia: Circuit Court of
Isle of Wight County.

Merchants National Bank of
Hampton, etc.

v) Chancery. 425.

Estelle V. Knight.

Note for decree.

Enter this

1475
May 4
1911

Book 8
page 277

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

Leslie M. Babb being duly sworn, deposes and says:

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

Leslie M. Babb, I am thirty years of age, reside in Isle of Wight County, Virginia, and am a farmer.

Q. Are you acquainted with the farm, in Isle of Wight County, in which Estelle V. Knight, the widow of Wallace C. Butler, has an interest, a dower interest? Ans. Yes, I live within a mile and a half of it.

Q. Please state what, in your opinion, is a fair fee simple and a fair annual value for the whole tract of land? Ans. I would say the piece of land should bring from four thousand dollars to forty five hundred dollars, and it should rent for two hundred and fifty dollars a year.

Q. What would be a fair annual and a fair fee simple value of the dower interest of Mrs. Knight, in this tract of land?

Q. I would say it should rent for half of the total annual value of the whole place. I would not like to risk over five hundred dollars on her dower right.

Q. How much of the land do you estimate should be assigned to her as dower should it be asked to be done? Ans. About eighteen acres of the cleared land, in addition to the dwelling and outhouse and enough of the wood land for her to get trash and firewood. And further this deponent saith not.

J. R. Whitley being duly sworn, deposes and says:

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

J. R. Whitley, reside in Isle of Wight County, at Indika, am thirty nine years of age, and am a farmer.

Q. How close do you live to the tract of land in Isle of Wight County, Virginia, belonging to the estate of Wallace C. Butler? Ans. About one mile.

Q. Are you familiar with it? Ans. I am.

Q. How many acres of the tract in cleared land? Ans. About fif-

ty five or sixty acres, and the balance in wood land.

Q. What, in your opinion, is a fair fee simple and a fair annual value of the tract of land? Ans. I would say forty five hundred dollars is a fair fee simple value and about two hundred and fifty dollars is a fair annual value.

Q. What, in your opinion, would the dower of the widow of Wallace C. Butler, if it was assigned, rent for per year, and what would be its fee simple value? Ans. It should rent for about half as much as the whole place would rent for a year, and I would say a fee simple value of it would not be worth over five hundred dollars.

And further this deponent saith not.

H. H. Holland- being duly sworn deposes and says as follows;

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

A. H. H. Holland, 42 years of age, I reside near five forks in Isle Of Wight County and am farming.

Q. Are you familiar with the property of which Mrs Estelle V. Knight is seized and possessed and if so please state where it is located, of what it consists and how near you live to same.

A. Yes I am fairly familiar with it, the farm is said to contain eighty five acres, more or less, some sixty odd acres, about that, is open, the rest of it is in wood land. This land, I understand, belongs to the estate of a former husband of Mrs. Knight, Wallace C. Butler, and she has a dower interest in it, only.

Q. What is a fair annual and a fair fee simple value of the tract of land belonging to the estate of Wallace C. Butler, in which Mrs. Knight has a dower interest? Ans. Two hundred dollars is a fair annual value and the fee simple value is about four thousand dollars. If the farm was in good shape it should be of the annual value of about three hundred dollars, but it is run down and it would take two years to get it in shape to work and to live there to any advantage.

Q. If the dower of Mrs. Knight should be assigned to her, the dower being one third in the real estate, during her life, what would be a fair annual and a fair fee simple value thereof? Ans. She would probably get fifteen or eighteen acres of the cleared land, the dwelling house and the out buildings, which are very poor, and enough of the wood land to furnish trash and firewood for her part. It would rent for about a hundred dollars a year. It is hard to estimate the fee simple value of her dower interest. It is something of a gamble. It should bring from three to five hundred dollars. That would be about as much as I would like to risk on it.

COMMISSIONERS NOTICE

Merchants National Bank of
Hampton, and all other
creditors of Estelle V. Knight
who may come in and contribute
to the cost of this suit.....Plaintiffs

v) In Chancery #425

Estelle V. Knight Defendant

TAKE NOTICE, That I, the undersigned, shall at
the office of the Clerk of the Circuit Court of Isle of Wight
County Virginia, on Tuesday, October 27th, 1925, at 11 o'clock
A.M. proceed to execute the decree in the above entitled cause
entered therein on the 29th day of July, 1925, which said decree
requires the following inquiries, to be taken and reported to
Court.

1. Of what property or interest therein, real or
personal, Estelle V. Knight the defendant is seized and possessed,
where situate, and the annual and fee simple values of any real
estate she may be possessed of, a description of same and its
location.

2. What liens are of record against the said
real estate.

3. If the rents and profits of the said real estate
or interest therein, will within five years pay the lien
indebtedness and the cost of this suit.

4. Whether all the proper parties are properly
before the Court.

5. Any other matter specially deemed pertinent by
the Commissioner or which may be required to be stated by any
party in interest.

Given under my hand as Commissioner in Chancery
of the Circuit Court of Isle of Wight County, this 21st day of
October, 1925.


Commissioner in Chancery

Mchs Litt Bk of Hampton
et al

vs 9. 425.

Estelle V. Knight.

Original.

Executed this 26th day
of Oct 1825 by D. Sharp
a true copy of the
within writ to
Estelle V. Knight at
her home in state of
Wight County
of said N. H. Chapman
sheriff by W. Breckhen
Deputy Sheriff

ORIGINAL OF 10200

ORIGINAL OF 10200

COMMISSIONER'S NOTICE

Merchants National Bank of
Hampton, and all other
creditors of Estelle V. Knight
who may come in and contribute
to the cost of this suit.....Plaintiffs

v) In Chancery #425

Estelle V. Knight Defendant

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entered therein on the 29th day of July, 1925, which said decree
requires the following inquiries, to be taken and reported to
Court.

1. Of what property or interest therein, real or
personal, Estelle V. Knight the defendant is seized and possessed,
where situate, and the annual and fee simple values of any real
estate she may be possessed of, a description of same and its
location.

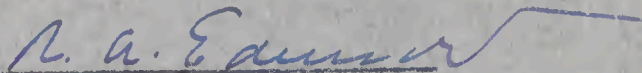
2. What liens are of record against the said
real estate.

3. If the rents and profits of the said real estate
or interest therein, will within five years pay the lien
indebtedness and the cost of this suit.

4. Whether all the proper parties are properly
before the Court.

5. Any other matter specially deemed pertinent by
the Commissioner or which may be required to be stated by any
party in interest.

Given under my hand as Commissioner in Chancery
of the Circuit Court of Isle of Wight County, this 1st day of
October, 1925.


Commissioner in Chancery

Mohr Wie Bok p. 17.

75 G.

Exzellenz V. Kung'ut.

Copy Comm. Notice.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT, OCTOBER 23RD., 1925.

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETINGS:

You are hereby commanded to summon, if they be
found in your County, J. R. Whitley, H. H.
Hollander, and Lislie Babb,
to appear at the Clerk's Office of the Circuit Court of the County
of Isle of Wight, State of Virginia, on Tuesday, October 27th.,
1925, at 11 o'clock A. M. , before me, a Commissioner in Chancery
for the Circuit Court of the County and State aforesaid, to give
evidence in behalf of the COMPLAINANT in a certain Chancery cause
pending in the Circuit Court aforesaid under the name and style
of, Merchants National Bank v. Estelle V. Knight et al.,
And then and there make return of this summons.

Given under my hand this the 23rd., day of October,
1925.

R. A. Edwards
Commissioner in Chancery.

Merchants National Bank.

vs.

Estelle v. Knight

Original

I executed this 26
Day of Oct 1925 By
Delivering a true copy
of the within writ
to J R Whalley H H Holland
and Leslie Pabb at
their homes in the
of Wight county
state of Va

W J Bruckshaw
Deputy Sheriff for
W H Chapman
Sheriff

Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—Greeting:

WE COMMAND YOU, That you summon Estelle V. Knight,

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 May, 1925,
to answer a^{amended} bill in chancery, exhibited against them
in our said Court by
 Merchants National Bank Of Hampton, and all other creditors
of the said Estelle V. Knight who may come in and contribute to the cost of
this suit.,

And have then and there this writ.

Witness, R. A. EDWARDS, Clerk of our said Court, at the Courthouse, this 12th
day of May, 1925, and in the 149th year of the
Commonwealth.

R. A. Edwards Clerk.

Meherts N'tt Bank of Hampton

vs. }

CHANCERY NO. *425*

Estelle V. Knight

ORIGINAL SUBPOENA

Virginia, Clerk's office of the Circuit
Court of the County of Isle of Wight.

....., 19.....

Returned, entered and filed.

Teste:

.....Clerk

To *Second May* Rules

1925

Johnson & Stephens p. q.

Executed the within summon this the 15th day of May 1925, in the County
of Isle Of Wight, by ~~---serving~~ a true copy of the same ~~on~~ Estelle V.
Knight in person at her residence in the said County.

W. H. Chapman, Sheriff.

By *F. I. Wilson* D.S.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Estelle V. Knight.,

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 December, 1923, to answer a bill
in chancery exhibited against her in our said Court by
Merchants National Bank, Hampton, Virginia, and all other creditors of
Estelle V. Knight, who may come in and contribute to the cost of this
suit.,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-
house, this 12th day of December, 1923, and in
the 148th year of the Commonwealth.

G.A. Harris, & Johnson & Stephenson, p.q.

R. A. Edwards Clerk.

2
Mch's Vtl Bank

~~Virginia~~ Chancery No. 425

Estelle V. Knight.

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 Secau & Doe Rules.
1923.

Harris, Johnson & Stephenson.
p.v.

Executed the within
Subpoena this the 17 Day
of Dec. 1923. by serving
a true copy of same on
Estelle V. Knight in person
in the County of Isle
of Wight.

W. H. Chapman, Sheriff.

By W. L. Lewis D. S.

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

Merchants National Bank of
Hampton, Virginia, and all other
creditors of Estelle V. Knight,
who may come in and contribute
to the costs of this suit.

v) Chancery. 425.

Estelle V. Knight.

AMENDED BILL OF COMPLAINT.

TO HONORABLE BENJAMIN DEY WHITE,

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

Your complainant, Merchants National Bank of Hampton, Virginia by this, its amended bill of complaint, shows to the court:

That at the Second Rules in December, 1923, it filed its original bill of complaint, alleging, among other things, that on the 25th. day of October, 1921, it obtained, before A. Lee Saunders, a justice of the peace for the County of Isle of Wight, State of Virginia, a judgment against Estelle V. Knight and J. C. Knight, for the sum of \$126.04, with interest thereon from the 28th. day of December, 1920 till payment, and \$3.80 costs, which judgment is duly docketed in the Clerk's Office of this court as of the 2nd. day of November, 1921, in judgment lien docket number four, at page 78; that at the time the judgment was rendered an execution was issued thereupon and which has been duly returned to the said Clerk's Office by the Sheriff of this County endorsed "no effects". That again, on the 21st. day of July, 1922, an execution was sued out of the said Clerk's Office upon the said judgment, returnable to the 1st. Monday in October, 1922, directed to the Sheriff of this County, and which has been returned with the same endorsement thereupon, made by said Sheriff:

That at the time the said judgment was rendered and when it was docketed, the said Estelle V. Knight was the owner of dower interest in a certain lot or parcel of land situate and being in the County of Isle of Wight, State of Virginia, containing, by estimation, _____ acres, bounded by the lands of J. H. Gwaltney and others, _____ acres of which has, since that time, been taken, under condemnation proceedings, by the City of Norfolk as and for and in connection with a water supply, it being the same land conveyed to Wallace C. Butler, former husband of the said Estelle V. Knight, by deed from Bettie V. Butler and others, by their deed bearing date the 13th. day of December, 1910, and of record in said Clerk's Office in Deed book 79, page 42.

That complainant was informed and believed that other debts were due by the Estelle V. Knight to other parties, and that this suit was brought on behalf of itself and other creditors of the said Estelle V. Knight, if there be any.

That the said judgment was then wholly unpaid, and was a binding and subsisting lien upon the interest of the said Estelle V. Knight in said property.

That the rents, issues and profits from the interest in said real estate would not, within five years, pay off and discharge the said judgment.

And after reciting the facts above stated prayed that the said Estelle V. Knight might be made a party defendant to said bill and required to answer the same, but not under oath, answer under oath being waived, that proper process issue, that all proper orders and decrees might be entered, and inquiries directed; and that if it should appear that the said Estelle V. Knight had a dower interest in said land that the same be assigned to her, under the direction of the court; and that if it should further appear that the rents and profits thereof would not, within five years, pay the judgment of complainant and other liens against it that it be sold and the

proceeds thereof be applied in satisfaction of complainant's judgment; that if the rents and profits would, within five years, satisfy the said judgment and other liens that it be rented out and the proceeds arising therefrom be applied to the extinguishment of complainant's judgment; and for general relief etc.

That the said bill of complaint matured at the third December Rules, 1923, and the cause set down for hearing, *No answer ever having been filed thereto.*

For amendment to said bill of complaint, complainant now states that the judgment set out in the original bill of complaint has not been satisfied, either in whole or in part; and that, in addition to the allegations and statements set out in said original bill, complainant is informed that in addition to the dower interest possessed by said Estelle V. Knight in said property, she is possessed of an equitable interest in the nature of a lien covering a debt, or part thereof, once due to J. M. Butler and others, and the evidence of said debt, in whole or in part, being assigned to said Estelle V. Knight, for value, and which is not now satisfied. Inasmuch as your complainant is without remedy in the premises save in a court of equity, where matters of this kind are alone and properly cognizable, it prays leave to file this, its amended bill of complaint, and that the said Estelle V. Knight may be made a party defendant thereto, and required to answer the same, but not under oath, answer under oath being hereby expressly waived; that proper process issue; that all proper orders and decrees may be entered, and all inquiries directed as may be needful; that it be ascertained what interest the said Estelle V. Knight may have in said tract of land and how acquired; that if said interest cannot be rented out for a sufficient amount in five years to pay off and discharge complainant's judgment, and other liens, that such interest or interests may be sold and the proceeds of such sale be applied toward the payment of complainant's lien and the other liens against the same, if any there be; and that such other, further and general relief may be given your complainant as the nature of its

case may require, or to equity and good conscience may seem meet.

Notice is hereby given that the court will be asked to allow a reasonable attorney fee to G. A. Harris and Johnson and Stephens, counsel for the complainants, for services rendered, and to be rendered, in the conduct of this suit, out of any funds that may come under the direction of the court.

And your complainants gill ever pray, etc.

Merchants National Bank of Hampton, Virginia,

By counsel.

G. A. Harris & Johnson & Stephens, for complainant.

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

Merchants National Bank,
of Hampton, Va., who sues etc.,

v). Chancery. No. 425.

Estelle V. Knight.

Amended Bill, of Complaint.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

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

Merchants National Bank, Hampton, Va.,
and all other creditors of Estelle V.
Knight, who may come in and contribute
to the costs of this suit,..... Complainants.

v) Chancery. No. _____

Estelle V. Knight,..... Defendant.

----- BILL OF COMPLAINT-----

TO HONORABLE B. D. WHITE,

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

Your complainant, Merchants National Bank, of the city
of Hampton, Virginia, who sues on behalf of itself, and all other
creditors who may come in and contribute to the costs of this
suit, respectfully represents:

1. That on the 25th. day of October, 1921, it obtained,
before A. Lee Saunders, a Justice of the Peace for the County
of Isle of Wight, a judgment against Estelle V. Knight and J. C.
Knight, for the sum of \$126.04, with interest thereon from the
28th. day of December, 1920, till payment, and \$ 3.80, costs,
which judgment was duly docketed in the Clerk's Office of this
court on the 2nd. day of November, 1921, in Judgment Lien Dock-
et number 4, page 78. That at the time said judgment was
rendered that an execution was issued upon the said judgment,
and which has been returned to the said clerk's office, endorsed
by the sheriff of the said county, to whom it was directed, "no
effects". That on the 21st. day of July, 1922, an execution was
issued upon the said judgment, from the said clerk's office, re-
turnable to 1st. Monday in October, 1922, directed to the sheriff

of said county, and which has been returned with the endorsement by said sheriff, "no effects". All of which will more fully and largely appear by certificate of the said clerk, attached hereto and to be read as a part of this bill of complaint.

2. Complainant further says that at the time of the rendition of said judgment, and when it was docketed, as aforesaid, that the said Estelle V. Knight, was the owner of a dower interest in a certain lot or parcel of land, lying, situate and being in the County of Isle of Wight, State of Virginia, containing, by estimation _____ acres, be the same more or less, bounded by the lands of J. H. Gwaltney and others, _____ acres of which has, since that time, been taken, under condemnation proceedings, by the City of Norfolk as and for and in connection with a water supply, it being the same land conveyed to Wallace C. Butler, former husband of the said Estelle V. Knight, by deed from Bettie V. Butler and others, by their deed bearing date the 13th. day of December, 1910, and of record in the said clerk's office in Deed Book No. 79, page 42.

3. Complainants says that it is informed and believes that other debts are due by the said Estelle V. Knight, to other parties, and that it brings this suit on behalf of itself and other creditors of the said Estelle V. Knight, if any there are.

4. Complainant says that its judgment, mentioned aforesaid remains wholly unpaid, and is a binding and subsisting lien upon the dower interest of the said Estelle V. Knight, in the aforementioned tract of land.

5. Complainant says that the rents, issues and profits of the interest in said real estate, held by said Estelle V. Knight will not, in five years, pay off and discharge the liens existing thereon.

7. Forasmuch as your complainant is without remedy in the premises, save in a court of equity, where matters of this kind are alone and properly cognizable, it prays that the

said Estelle V. Knight may be made a party defendant to this bill, and required to answer the same, though not under oath, answer under oath being hereby waived; that proper process issue; that all proper orders and decrees may be entered, and in inquires be directed; that if it shall appear that the said Estelle V. Knight has a dower interest in the said tract of land, that the same be assigned to her, under the directions of this court, and if it shall further appear that the rents and profits thereof will not, within five years, rent for a sufficient sum to pay complaintant's judgement, and other liens against it, that it be sold and the proceeds thereof be applied in satisfaction of your complaintant's judgement; that if the rents and profits will, within five years, satisfy the said judgement, and other liens, that it be rented out and the proceeds arising therefrom be applied to the extinguishment of complaintant's judgement; and that all such other, further and general relief may be given your complaintant as the nature of his case may require, or to equity shall seem meet.

Notice is hereby given that the Court will be asked to allow reasonable attorney's fees to G. A. Harris and Johnson and Stephens, counsel for the complaintants, for services rendered, and to be rendered, in the conduct of this suit, out of any funds that may come under the direction of the Court.

And your complaintants will ever pray, etc.

MERCHANTS NATIONAL BANK, OF HAMPTON, VIRGINIA.

By counsel.

G. A. Harris and Johnson & Stephens., for complainatant.

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

I, R. A. Edwards, Clerk of the Circuit Court of the
County of Isle of Wight, State of Virginia, do hereby certify
that Merchants National Bank, of Hampton, Virginia, on the
25th. day of October, 1921, recovered a judgment against Es-
telle V. Knight and J. C. Knight, for the sum of \$126.04, with
interest thereon from the 28th. day of December, 1920, till
paid, and costs amounting to \$3.80, which judgment was duly
docketed in the clerk's office of said court, in Judgment
Lien Docket No. 4, page 78; that the date of docketing said judgm-
ent is the 2nd. day of November, 1921; that two executions
have issued thereupon, and have been delivered to the sheriff
of the said county, both of which have been returned "no ef-
fects"; and that the said judgment is still unsatisfied, of
record.

Given under my hand this 9th. day of December, 1923.

R. A. Edwards, Clerk.

3
Virginia: Circuit Court
of Isle of Wight County.

Merchants National Bank, etc.

v) Chancery. No 425

Estelle V. Knight.

BILL OF COMPLAINT.

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

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