

1933-045 Chancery Causes. Mary Hill vs Samuel A. Reddick, executor of Nanney J. Thomas val 370  
Sale of Wight County Peltion of Mary Hill

other SURNAME: Newman, Covington,  
Cole, Jordan, [Catawba Sanatorium]  
[Christ's Episcopal Church, Smithfield,  
Virginia] [Protestant Episcopal Theological  
Seminary & High School], Larus, Parker,  
Ames, Chalmers, Oleson, Woodward,  
[Woodward & Elam], Elam

JOHN N. SEBRELL, JR.  
ATTORNEY AND COUNSELLOR AT LAW  
SEABOARD BANK BUILDING  
NORFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

MARY HILL,

v.

SAMUEL A. RIDDICK, in his own right,  
and as surviving Executor of Nanny J.  
Thomas, JULIUS O. THOMAS, MARTHA J.  
NEWMAN, ANNIE H. COVINGTON (who was  
Annie H. Cole), GEORGIA JORDAN,

*WP Warren and W C Ames*  
Trustees of Christ Episcopal Church, of  
Smithfield, Virginia, and CATAWBA SAN-  
ITORIUM, INCORPORATED.

Summons in Chancery to Rules <sup>First</sup> Monday in June, 1921.

*Johnson*  
*John O. Johnson* } P. Q.

*2 original*

*250*  
*250*

Mary Hill.

Vs. Cy. No. \_\_\_\_\_.

Samuel A. Riddick et als

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MEMORANDUM.

Filed ~~May~~ 2nd, 1921.

Teste. R. A. Edwards Clk.

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1 Orig 1 Copy - Robinson Sept 1921  
 1 " " Cook  
 Copies for S. M. -

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

Heil

vs: # 370

Biddick executor

.           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 rene-  
state the same as provided in Section 6172 of the Code as  
Amended.

Heil

is #370

Peddish Executor

March TERM 19.33 Filed

CLK.

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

Hill

vs: # 370

Riddick executor 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.

Helz

W# 370

Piddick executin das

C.O.B. #9

Page 80



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

Mary Hill

v) Chancery. No. 370.

Samuel A. Riddick, et als.

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 5th. day of October, 1923, to which there is no exception, and was argued by counsel:

Ant it appearing from said report that John C. Parker and S. A. Riddick, executors of the estate of Nanny J. Thomas, deceased, have delivered to the several legatees named in the last will and testament of the said Nanny J. Thomas, the several articles due them thereunder; that they have received, in money, the sum of \$25390.10, and have disbursed the sum of \$25366.89, as shown by the detailed statement filed with said report; that there is due from Martha J. Newman, to said estate, the sum of \$61.80; that there is a balance in the hands of Samuel A. Riddick, the surviving executor, the said J. C. Parker being dead, the sum of \$657.98; that there is due to Woodward and Elam, by said estate, the sum of \$8.54; that there is due to Samuel A. Riddick the sum of twenty five dollars to cover postage, stationery and sundry small items of expense not specifically accounted for, and which is reasonable; that there is due the executors, on account of unpaid commissions on receipts, the sum of \$36.05; that the costs of this suit, to dismissal, amount to \$66.50; that the balance remaining to be distributed, with the \$61.80 due by Martha J. Newman, is \$583.69; that Martha J. Newman and Julius O. Thomas, residuary legatees, under said will, are entitled to share equally in the

balance to be distributed: upon consideration whereof, the Court doth adjudge, order and decree, that the said report be, and is, hereby, confirmed:

And it is further adjudged, ordered and decreed, that the said Samuel A. Riddick, surviving executor as aforesaid, pay to Woodward & Elam, the sum of \$8.54, the amount of their account; to Samuel A. Riddick the sum of \$25.00 to cover his account for stationery, postage and small items of expense incurred by him; to himself and the estate of J. C. Parker the unpaid commissions upon the receipts of said estate, amounting to \$36.05; the costs of this suit, to dismissal, amounting to \$66.50; to A. S. Johnson, Attorney, for assistance rendered to the said Samuel A. Riddick, surviving executor in this suit, the sum of \$53.69, and the balance, he shall pay in equal sums, to Martha J. Newman and Julius O. Thomas, or to their attorney or attorneys, and take receipts for all such payments as he shall make hereunder, and make report of such payments to the Court. The said Samuel A. Riddick, surviving executor as aforesaid, may deduct from the share of either distributee herein named any amount he has paid, and for which he has a receipt or proper voucher, since the stating of the account herein referred to.

It is also adjudged, ordered and decreed that the Clerk of this Court shall record the report of R. A. Edwards, Commissioner in Chancery, herein referred to, in full, in the current book containing fiduciary accounts, in his office.

And this cause is continued.

8  
Virginia: In the Circuit  
Court of Isle of Wight Co.

Mary Hill

v) Chancery. No. 307.

Samuel A. Riddick, et als.

Note for decree,

*his*  
Enter Oct. 22nd. 1923.  
*B.D.W.*

C.O.B. # 8,

page 164

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.

Mary Hill et als

v) Chancery. No. 370.

Nanny J. Thomas' Exrs. et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the petition of Mary Hill, this day, by leave of court, filed, and which petition asks that the sum of five hundred dollars, left by the said Nanny J. Thomas, be paid to her, in cash rather than that it be invested in a house and lot for her, by the executors of said will, as is therein provided for, the language of said will, so far as it refers to this particular item being as follows: "To my cook, Mary Hill \* \* \* \* \$500 to be invested by my executors in a house and lot for her": and it appearing to the court that no trust is created by the language employed by the testatrix, it is adjudged, ordered and decreed that S. A. Riddick, the surviving executor of the last will and testament of the said Nanny J. Thomas, deceased, pay to the said Mary Hill, or to A. S. Johnson, her attorney, the sum of five hundred dollars, <sup>all accrued</sup> with interest thereon ~~from the 28th. day of October, 1916,~~ out of the funds in his hands belonging to said estate, and account therefor, by receipt of the said Mary Hill, or her said attorney, in his next accounting of his transactions as such executor.

Mary Hill et als

v) Chancery. No. 370

Nanny J. Thomas' Exr. et  
als.

1923  
Sept 17  
Entered  
B.W.

G.O.B. 8

page 159

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VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

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MARY HILL,

v.

SAMUEL A. RIDDICK, in his own right,  
and as surviving Executor of Nanny J. Thomas,  
JULIUS O. THOMAS, MARTHA J. NEWMAN, ANNIE H.  
COVINGTON (who was Annie H. Cole), GEORGIA  
JORDAN,

W.P. Warren: and W.C. Ames  
Trustees of Christ Episcopal Church, of Smith-  
field, Virginia, and CATAWBA SANATORIUM,  
~~PROSECUTED.~~

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This day this cause came on to be heard on the bill of com-  
plainant and exhibits therewith filed, taken for confessed as to the  
said defendants, they having been duly served with process and still  
failing to appear, plead, answer or demur thereto, and was argued by  
counsel.

On consideration whereof, the Court doth adjudge, order and  
decree that it be referred to one of the commissioners of this Court,  
who shall take an account of the transactions of the said executors  
of the said will and report to court.

4

Mary Hill

vs) Chancery. No. 370.

Thomas' Executor, et als.

Note for decree.

To be entered

Sept 8, 1921.

STW

Book 8 - page 84

EXAMINED AND VERIFIED

Will of Nanny J. Thomas.

IN THE NAME OF GOD, AMEN; I, Nanny J. Thomas, being of sound and disposing mind, make this my last will and testament, revoking all others heretofore made.

1. I direct that all my just debts to be paid and a suitable stone to mark my resting place be erected at my grave.

2. I give to my niece, Martha J. Newman, one half of my flat silver, the 6 soup spoons which I have loaned her being part of said half; one low rocking chair and the green furniture in the parlor; and silver candlesticks, the Godwin coat of arms, 2 silver baskets, my father's large picture, three rings, pearl, diamond and sapphire and diamond, and the furniture that was in my mother's room which I have already given her; I also give her the mahogany mirror, but if she dies before my nephew Julius, said mirror shall at her death go to him. I also give her my silver service and the house and lot on Mason Street known as the Hart lot adjoining the property belonging to Martha known as the "Grove".

3. I give to Dr. Myron A. Newman the Chippendale chair that always sits at the piano in the parlor.

4. I give to my nephew, Julius O. Thomas, one half of my flat silverware and the large silver ladle with "W.J." on it, being an old heirloom with a history running back to the Revolutionary War, also 2 corner chairs, one small round table, 2 brass candelabra & one electrolier, all in the parlor; the Woodley coat of arms, the portraits of his father and mother and of himself, the mahogany wardrobe in my room, my mahogany dining table and six dining room chairs, also the mahogany sideboard in the dining room, but if he dies before my niece Martha then the sideboard to go to her, as my said nephew has been so well provided for by my father and Uncle Dick, I am not leaving him any material part of my property.

5. The balance of my jewelry not specifically devised, and all of my clothing I direct Miss Annie H. Cole to distribute among my relatives and friends as I may direct her verbally or in writing before me

my death.

6. To my friend and nurse, Annie H. Cole, I leave my house and lot in Newport News, Virginia, known as Lot No. 116 on 27th Street, also my automobile, the long gilt mirror and large rosewood armchair that belonged to her great aunt, one large Japanese Topsy Cake plate, one black and white cameo necklace and pendants, my birdseye maple suit of furniture and brass bedstead and mattress complete.

7. To Miss Anna Chalmers I give my emerald and diamond ring that I have loaned to Martha.

8. To my Uncle and his wife, Mr and Mrs Filmore Jordan, I give the house and lot on Mason Street, known as the Edwards house, adjoining the lot of Waverly Thomas, for their joint and separate lives, and at the death of both of them I devise said property to the Catawba Sanatorium, at Catawba, Virginia, the same or the proceeds, if sold, to be held by said Sanatorium as an endowment to be known as the "Samuel A. Riddick" endowment, the income to be used for the general support of the Sanatorium.

9. I devise to the trustees of Christ's Episcopal Church, in Smithfield, Va., of which I am a communicant, and their successors, the house and lot on corner of Main and Mason Street, in Smithfield, Va., where I reside, the said property or the proceeds thereof, if sold, to be held by said trustees as a permanent endowment for said church, and the net income therefrom applied to the payment of the salary of the Rector of said church.

10. To my cousin Mary Atkinson Lorus I give my serving table that was my grandmothers.

11. To my brother, J. Waverly Thomas, I give the writing desk which he took from my house during my absence in March, 1913.

12. To my cook, Mary Hill, I give the sofa in my dinning room, all the furniture in my room except wardrobe left to Julius, and \$500.00 to be invested by my executors in a house and lot for her.

13. After all above devises and bequests I leave five thousand

dollars (\$5000.00) to the trustees of the Protestant Episcopal Theological Seminary and High School in Virginia, as a permanent endowment to be held and properly invested by said trustees, to be known as the "Julius O. Thomas" endowment, and the net income applied to scholarships at said seminary in aid of student for the ministry.

14. The remainder of my property I leave to my niece, Martha Newman and nephew Julius O. Thomas, in equal shares.

15. I designate Dr. S. A. Riddick and Mr. J. C. Parker as my executors, with power to dispose of and convey any of said property that I may leave not herein specifically devised or bequeathed.

In witness whereof I have signed this my will this 12th day of February, 1915.

Nanny J. Thomas

Signed, and published by Nanny J. Thomas as and for her last will, in the presence of us, who in her presence, and in the presence of each other have hereunto subscribed our names as witnesses.

V. W. Joyner

Andrew Cofer

Virginia: Circuit Court of the County of Isle of Wight October 28th, 1915,  
A paper writing purporting to be the last will and testament of Nanny J. Thomas, deceased, was this day presented for probate by S. A. Riddick and J. C. Parker, the executors therein named, and proved by the oaths of V. W. Joyner and Andrew Cofer, the subscribing witnesses thereto, and ordered to be recorded as the true last will and testament of the said Nanny J. Thomas deceased.

Teste, A. S. Johnson, Clerk

A Copy,

Teste, R. R. Edwards Clerk

By E. P. Weller D.C.

Will Book 34, page 289

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(vs) Chancery. No. 370

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S. G. R. idick et al.

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Mary Hill

Samuel A. Riddick, in his own right,  
and as surviving executor of Nanny J.  
Thomas, deceased, Julius O. Thomas,  
Martha J. Newman, Annie H. Covington,  
Georgie Jordan, W.P. Warren and W.C.  
Ames, trustees Christ Episcopal Church,  
of Smithfield, Virginia, and Catawba  
Sanatorium.

Take notice that the undersigned, Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, Virginia, to whom has been referred the papers in the above entitled cause, for execution of a decree entered therein on the 6th day of September, 1921, which requires one of the Commissioner of the said court to take an account of the transactions of the executors of the said Hanny J. Thomas, deceased, and make report thereof to court, will, at his office, at the Courthouse of the said County of Isle of Wight, on the 5th day of ~~September~~ October, 1923, at eleven o'clock A.M., proceed with the execution of the said decree.

Given under my hand as Commissioner in  
Chancery of the Circuit Court of the said County of Isle of  
Wight, this 22nd day of Sept., 1923.

R. A. Davis R  
Commissioner in Chancery

A.S. Johnson and

Service hereby accepted

Mary Hill  
Martha Newman  
Julia Thomas  
Jephthah Mc  
Avery, Victor Christ  
Episcopal Church

By Edmund  
the Nurse



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

Mary Hill

vs) Chancery No. 370

Samuel A. Riddick, in his own right, and as surviving executor of Nanny J. Thomas, deceased, Julius O. Thomas, Martha J. Newman, Annie H. Covington, Georgie Jordan, W.P. Warren and W.C. Ames, trustees Christ Episcopal Church, of Smithfield, Virginia, and Catawba Sanatorium.

*Georgie Jordan  
Served notice on  
back bench*

TO THE PARTIES IN THE ABOVE ENTITLED CAUSE:

Take notice that the undersigned Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, Virginia, to whom has been referred the papers in the above entitled cause, for execution of a decree entered therein on the 6th day of September, 1921, which requires one of the Commissioners of the said court to take an account of the transactions of the executors of the said Nanny J. Thomas, deceased, and make report thereof to court, will, at his office, at the Courthouse of the said County of Isle of Wight, on the ~~5th~~ <sup>5th</sup> day of ~~September~~ <sup>October</sup>, 1923, at eleven o'clock A.M., proceed with the execution of the said decree.

Given under my hand as Commissioner in Chancery of the Circuit Court of the said County of Isle of Wight, this 22nd day of Sept. 1923.

*R. H. Edwards*  
Commissioner in Chancery

A.S. Johnson and Jno. N. Sebree, p.q.

Paid \*  
Mary Heil  
75-9 W 370

S. A. Riddick et al.  
Norfolk

Executed in the City of Norfolk,  
Va., this the 27 day of Sept 1923  
by serving a Copy hereof on

Georgie Jordan

IN PERSON.

C. H. TUMBLESON,  
Sergt. City of Norfolk, Va.

By C. B. Lisner Deputy

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

Mary Hill

vs) Chancery. No. 370

Samuel A. Riddick, in his own right,  
and as surviving executor of Nanny J.  
Thomas, deceased, Julius O. Thomas,  
Martha J. Newman, Annie H. Covington,  
Georgie Jordan, W.P. Warren and W.C.  
Ames, trustees Christ Episcopal Church,  
of Smithfield, Virginia, and Catawba  
Sanatorium.

TO THE PARTIES IN THE ABOVE ENTITLED CAUSE:

Take notice that the undersigned, Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, Virginia, to whom has been referred the papers in the above entitled cause, for execution of a decree entered therein on the 6th day of September, 1921, which requires one of the Commissioner of the said court to take an account of the transactions of the executors of the said Nanny J. Thomas, deceased, and make report thereof to court, will, at his office, at the Courthouse of the said County of Isle of Wight, on the 5th day of October, 1923, at eleven o'clock A.M., proceed with the execution of the said decree.

Given under my hand as Commissioner in Chancery of the Circuit Court of the said County of Isle of Wight, this 22nd day of Sept., 1923.

*R. A. E. Egan*  
Commissioner in Chancery

A.S. Johnson and Jno. N. Sebrell. p.q.

Due legal and sufficient service of the above notice is hereby accepted.

*Catawba Sanatorium*  
*Wm. O. Riddick*  
*attys*

Annie H. Conington

a Copy.

RECEIVED BY THE DIRECTOR OF THE BUREAU OF THE ARMY AND NAVY

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

Mary Hill

vs) Chancery No. 370

Samuel A. Riddick, in his own right,  
and as surviving executors of Nanny J.  
Thomas, deceased, Julius O. Thomas,  
Martha J. Newman, Annie H. Covington,  
Georgie Jordan, W.P. Warren and W.C.  
Ames, trustees Christ Episcopal Church  
of Smithfield, Virginia, and Catawba  
Sanatorium.

TO THE PARTIES IN THE ABOVE ENTITLED CAUSE;

Take notice that the undersigned,  
Commissioner in Chancery of the Circuit Court of the County  
of Isle of Wight, Virginia, to whom has been referred the  
papers in the above entitled cause, for execution of a  
decree entered therein on the 6th day of September, 1921,  
which requires one of the Commissioners of the said court to  
take an account of the transactions of the executors of the  
said Nanny J. Thomas, deceased, and make report thereof to  
court, will at his office at the Courthouse of the said County  
of Isle of Wight, on the 5<sup>th</sup> day of ~~October~~, 1923, at  
eleven o'clock A.M., proceed with the execution of the said  
decree.

Given under my hand as Commissioner in  
Chancery of the Circuit Court of the said County of Isle of  
Wight, this 22nd day of Sept, 1923.

R. A. Edwards  
Commissioner in Chancery

A.S. Johnson and Jno. N. Sebrell, p.q.

Due, legal and sufficient of the above notice is hereby accepted.

9/27/23

Annie H. Covington  
By R. A. Willcox, Atty

Mary Hill

Ms. A. 9. 3. 70

S. A. Radich itas.

Petersburg.

|      |     |                                            |         |
|------|-----|--------------------------------------------|---------|
| Oct. | 18, | By paid acct. of Dr. S. A. Riddick,        | 60.00   |
| "    | 20, | By paid Receiver for Martha J. Newman,     | 500.00  |
| "    | 21  | By paid acct. of D. J. Mood,               | 2.50    |
| "    | "   | By paid acct. of Woodward & Elam,          | 36.67   |
| "    | "   | By paid acct. of R. A. Edwards,            | 15.00   |
| "    | "   | By paid acct. of N. P. Young,              | 7.50    |
| Nov. | 1,  | By paid acct. of J. C. Parker,             | 5.00    |
| "    | "   | By paid Treasurer of Smithfield, tax acct. | 87.60   |
| "    | "   | By paid Martha J. Newman's Receiver,       | 3385.80 |
| "    | "   | By paid Julius O. Thomas' guardian.        | 4385.80 |
| "    | 5   | By paid acct. of Barrett-Folk Co.,         | 3.00    |
| "    | 15, | By paid acct. of J. R. Rowell, N.P.        | 2.00    |
| "    | "   | By paid acct. of J. C. Parker,             | 10.00   |
| "    | "   | By paid acct. of Sm. Plumb. & Htg. Co.,    | 3.10    |
| "    | 20  | By paid Julius O. Thomas' guardian,        | 2000.00 |
| "    | "   | By paid Martha J. Newman,                  | 2000.00 |
| "    | "   | By paid acct. of Dr. S. A. Riddick,        | 5.75    |
| "    | "   | By paid acct. of M. F. Jordan,             | 7.55    |

#### 1918.

|      |     |                                             |         |
|------|-----|---------------------------------------------|---------|
| Feb. | 17, | By paid acct. of J. R. Rowell, N.P.         | 1.00    |
| "    | 28, | By paid acct. of Lawson & Newman, monument, | 500.00  |
| May  | 3,  | By paid guardian of Julius O. Thomas,       | 1015.00 |
| "    | "   | By paid Martha J. Newman,                   | 1015.00 |
| Jun. | 4,  | By paid A. S. Johnson, Clerk,               | 2.50    |
| Jul. | 9,  | By paid Col. Inheritance Tax,               | 950.00  |
| Nov. | 7,  | By paid acct. of Woodward & Elam,           | 36.67   |
| "    | 29, | By paid County Treasurer, tax acct.         | 70.06   |
| "    | 30, | By paid County Treasurer tax acct.          | 45.00   |

#### 1922

|      |     |                           |        |
|------|-----|---------------------------|--------|
| Jan. | 26, | By paid J. O. Thomas,     | 300.00 |
| "    | "   | By paid Martha J. Newman, | 300.00 |

#### 1923.

|       |     |                                                                                       |        |
|-------|-----|---------------------------------------------------------------------------------------|--------|
| Sept. | 28, | By paid Woodward & Elam acct.,                                                        | 25.62  |
| "     | "   | By paid A.S. Johnson, Atty for Mary Hill, Legacy of \$500 and accrued int., \$136.10, | 636.10 |

#### Errata

#### 1915.

|      |     |                                                       |         |
|------|-----|-------------------------------------------------------|---------|
| Nov. | 17, | By paid acct. of J. M. Love,                          | 10.00   |
|      |     | By paid J. C. Parker, acct. commissions as executor,  | 630.25  |
|      |     | By paid S. A. Riddick, acct. commissions as executor, | 630.24. |

|                          |             |
|--------------------------|-------------|
| Aggregate disbursements, | \$ 25366.89 |
|--------------------------|-------------|

1915.

|      |     |                                                  |         |
|------|-----|--------------------------------------------------|---------|
| Oct. | 25, | By paid acct. of W. C. Ames,                     | 2.00    |
| Nov. | 1,  | By paid acct. of E. K. Batten,                   | 1.05    |
| "    | 4,  | By paid acct. of D. G. Smith, Clerk,             | 1.75    |
| "    | 8,  | By paid acct. of Lillian E. Harrison,            | 3.60    |
| "    | 10, | By paid acct. of Woodward & Elam,                | 55.00   |
| "    | 15, | By paid acct. of E. Adelstein,                   | 2.00    |
| "    | "   | By paid acct. of W. F. Shivers,                  | 6.97    |
| "    | "   | By paid acct. of Sam Scott,                      | 2.00    |
| "    | "   | By paid L. C. Adams acct.                        | 1.10    |
| "    | "   | By paid acct. of O. W. Pitman,                   | 2.00    |
| "    | "   | By paid Legacy to Protestant Episcopal Seminary, | 5000.00 |
| "    | 16, | By paid acct. of J. T. Hearn,                    | 91.50   |
| "    | 17, | By paid acct. of C. W. Warren,                   | 5.00    |
| "    | "   | By paid acct. of Sykes Grocery Co.               | 4.60    |
| "    | "   | By paid acct. of Home Telephone Co.,             | 4.47    |
| "    | "   | By paid acct. of Smithfield Lt. & P. Co.         | 14.30   |
| "    | "   | By paid acct. of F. W. Randolph,                 | 11.52   |
| "    | "   | By paid acct. of Underwood Mfg. Co.              | 22.35   |
| "    | "   | By paid acct. of J. M. Chapman,                  | 2.00    |
| "    | "   | By paid acct. of Blick,                          | 1.15    |
| "    | "   | By paid acct. of Cofer-Britton Hw. Co.           | 2.17    |
| "    | "   | By paid acct. of P. D. Gwaltney, Jr. & Co.       | 7.07    |
| "    | "   | By paid acct. of C. S. Betts & Co.               | 2.00    |
| "    | "   | By paid acct. of Gale-Ford Co.,                  | 7.75    |
| "    | "   | By paid acct. of D. J. Mood,                     | 2.00    |
| "    | "   | By paid acct. of J. Walter Stott,                | 2.00    |
| "    | "   | By paid acct. of H. D. Oliver,                   | 201.00  |
| "    | "   | By paid acct. of Annie H. Cole,                  | 17.50   |
| "    | "   | By paid acct. of Mmme Sutton,                    | 7.00    |
| "    | "   | By paid acct. of Fred Wrenn,                     | 1.00    |
| "    | "   | By paid acct. of Sm. Plumb. & Htg. Co.,          | 24.55   |
| "    | 30  | By paid Treas. Newport News, tax acct.           | 35.33   |
| "    | "   | By paid Treasurer Smithfield, tax acct.          | 108.97  |
| "    | "   | By paid Treasurer I. Of W. Co., tax acct.        | 138.44  |
| Dec. | 1,  | By paid Dr. B. R. Kennon acct.                   | 52.00   |
| "    | "   | By paid acct. of J. R. Rowell, Jr.,              | 2.00    |
| "    | "   | By paid acct. of J. C. Parker,                   | 29.04   |
| "    | "   | By paid acct. of Ideal Pharmacy,                 | 5.00    |
| "    | 5   | By paid acct. of Amada Clarke,                   | 8.00    |
| "    | "   | By paid acct. of R. A. Edwards,                  | 30.00   |
| "    | "   | By paid acct. of Jas. E. Jordan,                 | 15.55   |
| "    | 7   | By paid acct. of Cofer & Hearn,                  | 7.56    |
| "    | "   | By paid acct. of Jas. Holloway,                  | 5.00    |
| "    | "   | By paid acct. of G. W. Cofer,                    | 88.70   |
| "    | 8   | By paid acct. of V. W. Joyner,                   | 2.00    |
| "    | "   | By paid acct. of Lula Robertson,                 | 2.00    |
| "    | "   | By paid acct. of Smith & Welton,                 | 3.45    |
| "    | 15, | By paid acct. of Cofer-Britton Hw. Co.,          | 4.75    |
| "    | 18  | By paid acct. of Eugie May Johnson,              | 2.00    |
| "    | "   | By paid acct. of Geo. W. Delk,                   | 23.17   |

1916.

|       |     |                                            |        |
|-------|-----|--------------------------------------------|--------|
| Jan.  | 29, | By paid acct. of Barrett-Folk Co.,         | 38.00  |
| "     | "   | By paid acct. of J. L. Warner & Co.,       | 2.00   |
| "     | 31, | By paid acct. of St. Christopher Hospital, | 24.82  |
| Mar.  | 15, | By paid acct. of A. S. Johnson, Clerk,     | 13.00  |
| Jun.  | 5,  | By paid acct. of Kenie Powell,             | .50    |
| "     | 21  | By paid acct. of Smithfield Pl. & Htg Co.  | 4.75   |
| Aug.  | 14, | By paid acct. of R. W. Sillings,           | 3.50   |
| "     | 29, | By paid acct. of O. W. Pitman,             | 24.25  |
| Sept. | 11, | By paid acct. of Martha J. Newman's Recr.  | 500.00 |

State of Va,  
County of Isle of Wight to-wit.

J. B. A. Edwards, Clerk of the Circuit Court of the County of Isle of Wight, do hereby certify that the foregoing report, together with the statement of receipts and disbursements made by the Executors of Nanny J. Thomas, dec'd, was, this 1<sup>st</sup> day of Nov. 1923, entered of record in accordance with a decree entered in the Chancery cause of Mary Gilbert et al v Samuel A. Riddick, Exr. et al, in Chancery book # 8, page 164.

Teste \_\_\_\_\_ Clerk

|      |     |                                      |         |
|------|-----|--------------------------------------|---------|
| Jul. | 27, | To rent from Sylvia Williams,        | 10.50   |
| "    | "   | To Smithfield W. Co. stock dividend, | 6.00    |
| Aug. | 21, | To rent from F. L. Vellines,         | 13.50   |
| "    | "   | To rent from J. E. Drewry,           | 12.50   |
| "    | "   | To rent from Crawley Thompson,       | 13.50   |
| Sep. | 11, | To rent from F. L. Vellines,         | 13.50   |
| "    | "   | To rent from J. E. Drewry,           | 12.50   |
| "    | "   | To rent from Sylvia Williams,        | 10.50   |
| "    | "   | To rent from Crawley Thompson,       | 13.50   |
| Oct. | 5,  | To M. & F. Bank stock dividend,      | 80.00   |
| "    | "   | To rent from Crawley Thompson,       | 13.50   |
| "    | 14, | To sale of Bank stock,               | 895.00  |
| "    | "   | To sale of Telephone stock,          | 136.00  |
| "    | 16, | To sale of Bank stock,               | 995.00  |
| "    | "   | To sale of Bank stock,               | 2000.00 |
| "    | "   | To sale of Water stock               | 260.00  |
| Nov. | 1,  | To sold of lots to Amer. P. Corp.    | 4625.00 |
| "    | 14, | To sale of farm to J.W. Thomas,      | 2575.00 |
| Dec. | 1,  | To sale of J. E. Bradshaw bond,      | 3385.00 |
| "    | 2,  | To rent from F. L. Vellines,         | 13.50   |
| "    | "   | To rent from J. E. Drewry,           | 12.50   |
| "    | "   | To rent from Sylvia Williams,        | 10.50   |
| "    | "   | To rent from Crawley Thompson,       | 13.50   |
| "    | 6,  | To sale of coal to Cox,              | 20.00   |
| "    | "   | To lot sold to Martha J. Newman,     | 2000.00 |
| "    | "   | To lot sold to Julius O. Thomas,     | 2000.00 |
| "    | 15, | To note due by A. B. Stott,          | 440.55  |

#### 1917.

|      |    |                                           |         |
|------|----|-------------------------------------------|---------|
| Jan. | 4, | To rent from A. W. Atkins,                | 80.00   |
| "    | "  | To rent from M. F. Jordan,                | 125.00  |
| "    | 8  | To rent from Sylvia Williams,             | 10.50   |
| "    | "  | To rent from Crawley Thompson,            | 13.50   |
| "    | "  | To rent from F. L. Vellines,              | 13.50   |
| "    | "  | To rent from J. E. Drewry,                | 12.50   |
| Feb. | 5, | To rent from Crawley Thompson,            | 13.50   |
| "    | "  | To collected bonds from T.C. Chapman etc. | 3090.00 |
| "    | "  | To interest on Chapman bonds,             | 120.00  |

#### 1923.

|       |     |                                                                                             |        |
|-------|-----|---------------------------------------------------------------------------------------------|--------|
| Sept. | 28, | To interest collected on money deposited in Bank of Smithfield to cover Mary Hill legacy,.. | 192.00 |
|-------|-----|---------------------------------------------------------------------------------------------|--------|

#### Errata

|      |           |                               |       |
|------|-----------|-------------------------------|-------|
| Aug. | 21, 1916. | By rent from Sylvia Williams, | 10.50 |
|------|-----------|-------------------------------|-------|

|                     |             |
|---------------------|-------------|
| Aggregate receipts, | \$ 25390.10 |
|---------------------|-------------|

A STATEMENT OF THE TRANSACTIONS OF J. C. PARKER AND S. A.  
RIDDICK, EXECUTORS OF THE ESTATE OF NANNY J. THOMAS, DE-  
CEASED.

1916.

|      |     |                                     |        |
|------|-----|-------------------------------------|--------|
| Oct. | 29, | To balance in Bank of Smithfield,   | 172.44 |
| "    | "   | To balance in Merchants & F. Bank,  | 348.75 |
| Nov. | 2,  | To rent from F. L. Vellines,        | 13.50  |
| Nov. | 6,  | To rent from R. A. Edwards,         | 8.71   |
| Nov. | 6,  | To rent from C. S. Hart,            | 9.00   |
| Nov. | 15, | To rent from Sylvia Williams,       | 10.50  |
| "    | "   | To rent from J. E. Drewry,          | 12.50  |
| Nov. | 22, | To rent from Bryant house, N. News. | 7.60   |
| "    | "   | To rent from A. W. Gard,            | 13.50  |
| "    | "   | To receipts from sale of chattels,  | 452.95 |
| Dec. | 6,  | To rent from A. W. Atkins,          | 80.00  |
| "    | "   | To rent from F. L. Vellines,        | 13.50  |
| Dec. | 7,  | To rent from J. E. Drewry,          | 12.50  |
| Dec. | 18, | To rent from A. W. Gard,            | 13.50  |
| "    | "   | To rent from Sylvia Williams,       | 10.50  |
| Dec. | 21, | To M. & F. Bank stock dividend,     | 38.00  |
| "    | 24, | To interest from J. E. Bradshaw,    | 99.00  |

1916.

|      |     |                                         |        |
|------|-----|-----------------------------------------|--------|
| Jan. | 12, | To rent from F. L. Vellines,            | 13.50  |
| "    | "   | To rent from J. E. Drewry,              | 12.50  |
| "    | "   | To rent from Sylvia Williams,           | 10.50  |
| "    | 21, | To rent from A. W. Gard,                | 13.50  |
| Feb. | 7,  | To rent from F. L. Vellines,            | 13.50  |
| "    | 11, | To rent from Sylvia Williams,           | 10.50  |
| "    | "   | To rebate on dress, Miller & R.         | 3.60   |
| "    | 26, | To rent from A. W. Gard,                | 13.50  |
| "    | "   | To rent from J. E. Drewry,              | 12.50  |
| "    | "   | To int. on Chapman bonds,               | 180.00 |
| "    | "   | To rent from M. F. Jordan,              | 150.00 |
| Mar. | 6,  | To rent from A. W. Gard,                | 13.50  |
| "    | "   | To rent from F. L. Vellines,            | 13.50  |
| Mar. | 13, | To rent from J. E. Drewry,              | 12.50  |
| "    | 17, | To rent from Sylvia Williams,           | 10.50  |
| "    | "   | To stock dividend from Home Tel. Co.    | 5.00   |
| Apr. | 5,  | To rent from F. L. Vellines,            | 13.50  |
| "    | 10, | To rent from Sylvia Williams,           | 10.50  |
| "    | 14, | To stock dividend from Smithfield W.Co. | 10.00  |
| "    | "   | To rent from J. E. Drewry,              | 12.50  |
| May. | 8,, | To rent from J. E. Drewry,              | 12.50  |
| "    | "   | To rent from Sylvia Williams,           | 10.50  |
| "    | "   | To rent from F. L. Vellines,            | 13.50  |
| "    | "   | To rent from Crawley Thompson,          | 13.50  |
| Jun. | 8,  | To rent from F. L. Vellines,            | 13.50  |
| "    | "   | To rent from Crawley Thompson,          | 13.50  |
| "    | 22, | To rent from Sylvia Williams,           | 10.50  |
| "    | 27, | To rent from J. E. Drewry,              | 12.50  |
| Jul. | 8,  | To rent from Crawley Thompson,          | 13.50  |
| "    | "   | To rent from J. E. Drewry,              | 12.50  |
| "    | "   | To rent from F. L. Vellines,            | 13.50  |
| "    | "   | To int. from J. E. Bradshaw,            | 99.00  |
| "    | "   | To M. & F. Bank stock dividend,         | 38.00  |

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

Mary Hill

v) Chancery. No. 370.

Samuel A. Riddick, exr.  
of Nanny J. Thomas, etc.

TO HONORABLE B. D. WHITE,

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

The undersigned, one of the Commissioners in Chancery of the Circuit Court of the County of Isle of Wight, Virginia, to whom has been referred the papers in this cause for the execution of a decree entered therein on the 6th. day of September, 1921, requiring an account of the transactions of the executors of the last will and testament of Nanny J. Thomas, deceased, to be taken and reported to the court, respectfully reports:

That on the 22nd. day of September, 1923, he issued notices to all the parties that he would, at his office, at Isle of Wight County Courthouse, at eleven o'clock A.M., on the 5th. day of October, 1923, proceed with the execution of said decree; and that at the time and place mentioned in said notice he attended, there appearing A. S. Johnson, counsel for Mary Hill, Martha J. Newman and Julius O. Thomas, and also counsel for the trustees of Christ Church. The notices, showing service thereon are hereto attached, and to be read as a part of this report.

John C. Parker and S. A. Riddick qualified as executors of the last will and testament of Nanny J. Thomas

on the 28th. day of October, 1915, and, at once, took charge of her estate and begun to execute the said last will and testament, a copy of which is hereto attached.

John C. Parker, one of the executors as aforesaid, was Receiver for Martha J. Newman and took possession of all of the personal estate willed to said Martha J. Newman, of which fact Martha J. Newman and her counsel testify.

According to the statement of Martha J. Newman, *and memorandum of Jno Parker* the Chippendale chair mentioned in the third clause of said will, was delivered to Dr. Newman.

The answer of Julius O. Thomas shows that he never received any flat silverware, the ladle with "WLJ. on it, the small round table, two brass candelabra, mahogany wardrobe and mahogany dining table. According to the statement of Samuel A. Riddick, these articles, together with all chattel property, except money, was delivered to J. Waverly Thomas, who was then the guardian of said Julius O. Thomas. The said Julius O. Thomas now being an adult he, by his attorney, stated to your commissioner that he does not require delivery of the said articles to *him* <sup>by the executor</sup> and wishes to relieve the executors of any responsibility which may be theirs by reason of the fact that they can now produce no receipt from said J. Waverly Thomas, guardian of said Julius O. Thomas.

The articles referred to in the 5th. clause of said last will and testament, according to the statement of Dr. Riddick, were delivered to Miss Annie H. Cole, as directed. There is no receipt filed for this item.

In the 6th. clause of said last will and testament certain articles of personal property are given to Miss Annie H. Cole. The receipt filed herewith does not cover all the articles mentioned, but Miss Cole (now Mrs. Covington) has been served with notice of the making of this report, and has not appeared. It is thought that the articles not mentioned in the receipt, and mentioned in the will, had been

disposed of before the death of Miss Thomas.

The ring mentioned in the 7th clause of said will has been delivered, so your commissioner is informed, to the legatee, Miss Anna Chalmers, now Mrs. Oleson. There is no receipt filed with your commissioner, The information he gets is a statement, not under oath, from the sister of Mrs. Oleson, Mrs. Leo Parker, of Smithfield, Virginia. Mrs. Oleson is a resident of the State of Louisiana.

The serving table mentioned in the 10th. clause of said will has been delivered and the receipt for same is filed with the vouchers exhibited to your Commissioner.

The table mentioned in the 11th. clause appears to have been taken possession of by J. Waverly Thomas before the death of his sister.

The items, all of them, including the money, given to Mary Hill, have all been delivered to her. The money was paid to her under decree of this court entered on the 17th. day of September, 1923. Receipt for all of this property is filed with the vouchers.

Receipt was exhibited for the \$5000 legacy, mentioned in the 13th. clause of said will, given to the Protestant Episcopal Theological Seminary.

The remainder, mentioned in the 14th. clause of said will, has been disposed of as is shown by the detailed account of the transactions of said executors, attached hereto.

Early in the year 1917, as will be readily recalled, the United States entered to World War. Soon thereafter Dr. Riddick was commissioned and entered the service of the United States and remained until the close of the War. Mr. Parker became engaged in the conduct of many of the activities organized for the prosecution of the war, at home, and in this case, as in almost everything else, there was cessation, that is everything else except war work. During the early part of 1919 Mr.

*John C. Patton*

contracted pneumonia, and died. Some little time after this, and during the year 1919, Dr. Riddick was discharged from the Army and resumed his practice in Norfolk, Virginia.

In spite of this interruption, the papers which Dr. Riddick has given to your commissioner, are in unusually good shape, and from the vouchers held by him, his bank books and checks, your commissioner is enabled to make an accurate statement of their transactions. There is one exception to be noted; namely. The balance in bank to the credit of the estate is greater than the receipts and disbursements show it should be. There is no way to make explanation for this except that some collections were made which were not recorded. Dr. Riddick, who handled all the money, had each item collected and placed in bank, noted when collected and deposited, except the items covered by the excess, and they cannot now be recalled. The balance being in favor of the estate no complaint is made.

After making out a detailed statement of the receipts and disbursements, which is filed herewith, your commissioner is informed and reports, that it appears that there is a balance due the estate of \$23.21, and in addition thereto there is cash in the bank amounting to \$611.56. Of this amount \$155.90 is interest which accumulated upon a certificate of deposit for \$600, placed in bank to cover the legacy of Mary Hill, mentioned in the will, from the time it was so placed in the bank until the legacy was paid, as heretofore noted. There is now, for distribution, the following items:

|                                  |               |
|----------------------------------|---------------|
| Balance due estate,              | \$ 23.21      |
| Balance in bank unaccounted for, | 478.87        |
| Interest on Mary Hill deposit    | <u>155.90</u> |
| Aggregating                      | \$ 657.98     |

Dr. Riddick presents an account for postage, stationery, and sundry small items of expense, amounting to \$25.00, which your Commissioner believes is very reasonable

and should be allowed, and he recommends that same be done. The commissions to the executors have not been fully covered in the detailed statement of disbursements hereto attached. There is a balance due them of \$36.05. There is an account due by the estate to Woodward & Elam of \$8.54, which should be paid. The costs of this suit, to dismissal, should be paid, and the clerk's fees due should include a sufficient fee for spreading this report upon the current fiduciary <sup>cord</sup> report. There is due the estate from Martha J. Newman the sum of \$61.80 for articles of personal property purchased from the executors, and which should be collected from her share in the balance to be distributed, and added to the balance before any distribution. The balance to be distributed as shown above is \$657.98, and which should be accounted as follows:

|                                                                     |        |        |
|---------------------------------------------------------------------|--------|--------|
| Balance to be distributed,                                          |        | 657.98 |
| To be collected from Martha J. Newman,                              |        | 61.80  |
| To be paid to Woodward & Elam,                                      | 8.54   |        |
| To be paid to Sam'l A. Riddick, expense,                            | 25.00  |        |
| To be paid on account of commissions not retained to the executors, | 36.05  |        |
| Writ tax on suit,                                                   | 1.50   |        |
| Clerk fees,                                                         | 20.00  |        |
| Taxed attorney fee,                                                 | 15.00  |        |
| Commissioner,                                                       | 30.00  |        |
| Balance,                                                            | 583.69 |        |
|                                                                     | <hr/>  |        |
|                                                                     | 719.78 | 719.78 |
|                                                                     | <hr/>  |        |

Balance to be distributed equally between Julius O. Thomas and Martha J. Newman is, as shown above, \$583.69

Your Commissioner wishes to report that A. S. Johnson, counsel for some of the parties hereto, fully set forth in the beginning of this report, has been of great assistance to the executor surviving and your commissioner, and while he does not think that he has a right to be paid out of the estate for serving his clients, at the same time his assistance has been of such a character that the executor feels that some allowance should be made for his services rendered, and your commissioner recommends that he be paid \$ 53.69 for

his services to the executor and the Commissioner.

Since the compilation of the figures above, the surviving executor states to your commissioner that he has paid to Martha J. Newman, by check, which has been exhibited to your commissioner, and also receipt for same, the sum of \$50.00. This amount the said Samuel A. Riddick should be permitted to deduct from the balance to be paid to her.

Respectfully submitted,

R. A. Edwards  
Commissioner in Chancery.

October 5th. 1923..

9  
Virginia: In the Circuit  
Court of Isle of Wight  
County.

Mary Hill

v) Chancery No.307.

Samuel A. Riddick et als.

Report of Commissioner in  
Chancery.

*Filed Oct 5 1923*

*Ind. Book 1*

*Page 507*

*Nov 1 1923*

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

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

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT-~~is~~:  
greetings:

We command that you summon Catawba Sanatorium, a corporation, t.

and

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 June, 1921, to answer a bill  
in chancery exhibited against him in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the  
Courthouse, this 2nd day of June, 1921, and in  
the 145 year of the Commonwealth.

R. A. Edwards, Clerk.

A. S. Johnson: :  
: : P. Q.  
Jno. N. Sebrell Jr.: :

A Copy.

Teste: R. A. Edwards Clerk.

Service of this process is hereby accepted:

Catawba Sanatorium, Inc.

By

Robert T. Martin  
Gen. Manager

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon ~~George Jordan~~, W. P. Warren,  
W. C. Ames, Trustee's Of Christ Episcopal Church, of Smithfield, Va.,

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 June, 1921, to answer a bill  
in chancery exhibited against them in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this 2nd day of June, 1921, and in  
the 145 year of the Commonwealth.

*R. A. Edwards* Clerk.

A. S. Johnson, )  
Jno. N. Sebrell.) P. Q.

A. P. Harrell  
and  
W. D. Lewis } trustees

Legal service of the within notice is hereby accepted.

W. D. Harrell  
W. D. C. Ames

} Trustees Christ  
Episcopal Church,  
Smithfield, Va.

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Julius O. Thomas, ~~Julius O. Thomas~~,

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 June, 1921, to answer a bill  
in chancery exhibited against them in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this 2nd day of May, 1921, and in  
the 145 year of the Commonwealth.

*R. A. Edwards* Clerk.

A. S. Johnson, }  
Jno. N. Sebrell, } p.q.

Julius O Thomas

Legal service of the within process is hereby accepted.

Julius O Thomas

COMMONWEALTH OF VIRGINIA:

Sargeant Of The City Of Petersburg.

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

We command you that you summon Annie H. Covington, (who was Cole)

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 June, 1921, to answer a bill  
in chancery exhibited against them in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this 2nd day of June, 1921, and in  
the 145 year of the Commonwealth.

*R. A. Edwards* Clerk.

A. S. Johnson. ; P.Q.  
Jno. N. Sebrell Jr.;

Mary Hill

Virginia Chancery No. 370

Samuel A. Radick  
et al.

ORIGINAL SUBPOENA.

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

June 2 1921

Returned, entered and filed.

Teste:

Clerk

To 2nd June Rules.

Val June 4 21 by  
delivered of the  
with summons to

Mrs Annie H Covington

W. G. Andrews City Sgt

By E. B. Palmer

Sept 1921

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon ~~James H. Hill~~, Martha J. Newman,

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 June, 1921, to answer a bill  
in chancery exhibited against them in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this 2nd day of May, 1921, and in  
the 145 year of the Commonwealth.

R. A. Edwards, Clerk.

A. S. Johnson, }  
Jno. N. Sebrell, } p.q.

Service accepted—

Martha J. Newman

By Jno N. Sebrell,  
Att'y—

Martha J. Newnam,

Legal service of the within process is hereby accepted.

---

COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—Greeting:

We command you that you summon Georgie Jordan, ~~N. P. Warren~~,

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 ----- June -----, 1921 -----, to answer a bill  
in chancery exhibited against ----- them ----- in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this ----- 2nd ----- day of ----- June -----, 1921 -----, and in  
the ----- 145 ----- year of the Commonwealth.

*R. A. Edwards* Clerk.

A. S. Johnson, )  
                  ) P. Q.  
Jno. N. Sebrell.)

Thos  
Henry Jordan

Legal service of the within process is hereby accepted.

Mrs M. Hillman Jordan

COMMONWEALTH OF VIRGINIA:

Sargeant Of The City Of Norfolk.

TO THE ~~SHERRIFF OF ISLE OF WIGHT COUNTY~~—Greeting:

We command you that you summon Samuel A. Riddick, in his own right,  
and as surviving executor of Nannie J. Thomas,

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.....June....., 1921....., to answer a bill  
in chancery exhibited against.....him.....in our said Court by  
Mary Hill,

And have then and there this writ.

Witness, R. A. Edwards, Clerk of our said Court, at the Court-  
house, this.....2nd.....day of.....June....., 1921....., and in  
the.....145.....year of the Commonwealth.

*R. A. Edwards* Clerk.

A. S. Johnson. : P. Q.  
Eno. N. Sebrell Jr.: :

Mary Hill

Virginia Chancery No 370

Samuel A. Riddick  
et al

ORIGINAL SUBPOENA.

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

June 2 1921

Returned, entered and filed.

Teste:

Clerk

To 2 June Rules. Rules.

7 June 21

Samuel A. Riddick

W. M. Stannard

W. M. Stannard

Ret & filed 6-10-21.  
Wm R. A. Evans D.  
clerk

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

MARY HILL

VS) CHANCERY. No. 370.

NANNY J. THOMAS' EXECUTORS ET AL'S.

The answer of Julius O. Thomas to a bill in Chancery, filed against him, and others, in the Circuit Court of the County of Isle of Wight, Virginia, by Mary Hill.

This defendant answers and says that he believes the statements in the Bill of Complaint are true, in so far as it fully states the provisions of the last will and testament of the said Nanny J. Thomas, deceased.

That by the fourth clause of the said last will and testament, this defendant was bequeathed as follows:

"I give to my nephew, Julius O. Thomas one half of my flat silverware and the large silver ladle with "W.J." on it, it being an old heirloom with a history running back to the Revolutionary War; also two corner chairs, one small round table, two brass candelabra and one electrolier, all in parlor; the Woodley Coat of Arms, the portrait of his father and mother and of himself, the mahogany wardrobe in my room, my mahogany dining table, the six dining room chairs, also mahogany sideboard in the dining room, but if he dies before my niece Martha, then the side-board to go to her. As my said nephew has been so well provided for by my father and Uncle Dick I am not leaving him any material part of my property."

That by the 14th. clause of said last will and testament it is provided as follows:

"The remainder of my property I leave to my niece Martha Newman and Nephew J. O. Thomas in equal shares"

That he has not received the following articles mentioned in the fourth clause of said will, as aforesaid, any flat silverware, the ladle with "W.J." on it, the small round table, two brass candelabra, mahogany wardrobe and mahogany dining table.

That he has received nothing, so far as he is advised, under the provisions of the fourteenth clause of said will.

That he concurs in the prayer of said bill, so far as it asks for a settlement of the estate of the said Nanny J. Thomas, deceased.

And now having fully answered said bill of complaint, or so much thereof as he is advised he should answer, he prays to be hence dismissed, with his costs, etc.

Julius D Thomas

Affidavit to the foregoing answer waived,

Severus Johnson

Counsel for complainant.

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Mary Hill

u { Chancery No 370

Nanny Thomas' Exr re

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Answer of Julius O Thomas

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

Mary Hill et als

v) Chancery. No. 370.

Nanny J. Thomas' Exrs. et als.

TO HONORABLE B. D. WHITE,

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

Your petitioner, Mary Hill, says that Nanny J. Thomas, by her last will and testament, bearing date the 12th. day of February, 1916, proved and entered of record in the Clerk's Office of the Circuit Court of the County of Isle of Wight on the 28th. day of October, 1915, gave to her some property, the following language being employed by said Nanny J. Thomas, in her will, so far as it relates to your, petitioner:

"To my cook, Mary Hill, I give the sofa in my dining room, all the furniture in my room except the wardrobe left to Julius, and \$500.00 to be invested by my executors in a house and lot for her".

Petitioner says that she has received all the property given her by said Nanny J. Thomas, as aforesaid, except the five hundred dollars.

That she believes she is entitled to have the five hundred dollars paid to her in money, with interest thereon from October 28th. 1916, twelve months after the qualification of the executors of said will.

That she believes and contends that no trust is created by the language employed by the testatrix, as aforesaid, so far as the legacy of five hundred dollars is concerned, and that it is an absolute gift, the other language, directing that or advising that, a house and lot should be purchased by the executors, only being employed to show motive. That the said sum of five hundred dollars was, at the time of the making of the will, the time it went to effect, and is now, and has been

during all the intervening time, inadequate and insufficient to purchase a house and lot that would give to your petitioner any comfort or convenience, in fact nothing that would serve as a place to live. That there is such absurdity and repugnance in the language used in the will as will justify the court in directing that the money so left be paid direct to the donee, with proper interest thereon, the court supplying the language, if necessary, to make the will read so as to clearly dispose of the sum of money mentioned as an absolute gift, *W. A.*

That on the 28th. day of October, 1915, S. A. Riddick and John C. Parker duly qualified as executors of the last will and testament of the said Nanny J. Thomas, and that since the said qualification the said John C. Parker has departed this life, leaving the execution of the said will, or the completion thereof, to the said S. A. Riddick.

Your petitioner, therefore, prays that it be adjudged by this court that the five hundred dollars, mentioned in said will as aforesaid, is an absolute gift; that no trust is created by the language employed in said will, as aforesaid; and that it be ordered and decreed that the said S. A. Riddick, the surviving executor of the said Nanny J. Thomas, deceased, shall pay to petitioner the sum of five hundred dollars, from the estate of the said Nanny J. Thomas, with interest thereon from the 28th. day of October, 1916.

And your petitioner will ever pray, etc.

*Mary Hill*

By counsel.

*A. J. Johnson*  
f.p.

Virginia: Circuit Court of  
Isle of Wight County.

Mary Hill et als.

v) Chancery. No. 370.

Nanny J. Thomas' Exr. et als.

*Petition*

*Filed September 17, 1923*

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

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

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MARY HILL,

v.

SAMUEL A. RIDDICK, in his own right,  
and as surviving Executor of Nanny J.  
Thomas, JULIUS O. THOMAS, MARTHA J. NEWMAN,  
ANNIE H. COVINSTON (who was Annie H. Cole),  
GEORGIA JORDAN.

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Trustees of Christ Episcopal Church, of  
Smithfield, Virginia, and CATAWBA SANATORIUM,  
INCORPORATED.

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

Humbly complaining shows unto your Honor, your complainant,  
Mary Hill, as follows:

1. That some time in the year 1915 Nanny J. Thomas departed this life owning considerable property, real and personal, in Isle of Wight County, Virginia, and leaving a will and testament, which was duly probated on the 25th. day of October, 1915, in the Circuit Court of Isle of Wight County, Virginia, a copy of which will is herewith filed as Exhibit "A" and prayed to be read and taken as a part of this bill; that,
2. That by the second clause of said will she gave to Martha J. Newman certain articles of household furniture and personal property enumerated therein, and a certain lot in the Town of Smithfield, Virginia. This complainant is not advised whether the executors of the said will, hereinafter referred to, have delivered the said property to the said legatee, Martha J. Newman, or not.
3. By the third clause of said will she gave to Dr. Myron A. Newman a certain Chippendale chair which your complainant understands has been properly delivered.

4. In the fourth item of said will she gave to Julius O. Thomas certain personal property mentioned therein, which this complainant supposes has been properly delivered.

5. By the sixth clause of the will there is devised to Mrs. Annie H. Covington (who was Miss Annie H. Cole) certain real and personal property, which item of the said will this complainant supposes has been properly administered.

6. By the seventh item she gave Miss Annie Chalmers a ring, which has been delivered as your complainant believes.

7. In item eight she gave to Mr. and Mrs. <sup>Ph</sup>ilmore Jordan the house and lot on Mason Street, in the Town of Smithfield, known as the Edwards house, for their joint and separate lives, and at the death of both of them to the Catawba Sanatorium, to be held as an endowment known as the "Samuel A. Riddick" endowment, the income to be used for the general support of the Sanatorium. Since the execution of the said will, Philmore Jordan has departed this life, leaving surviving him his wife, Georgia Jordan.

8. By the ninth item of said will a house and lot was devised to the Trustees of Christ's Episcopal Church, in Smithfield, Virginia.

9. In the twelfth item of said will there was given to your complainant a certain sofa in the dining room, and all the furniture in the room of the testatrix, except a certain wardrobe left to Julius O. Thomas, and in addition to this furniture, it was provided that \$500.00 should be invested by the Executors of the said will in a house and lot for this complainant.

10. In the thirteenth item of the will \$5000.00 was bequeathed to the Trustees of the Protestant Episcopal Theological Seminary and High School for purposes mentioned therein, which bequest has been duly paid over as provided in said will, as your complainant is advised and here states.

11. The remainder of the property, except a few articles disposed of in some of the items omitted herein, all of which have been fully presented and delivered, was given to Martha J. Newman and Julius O. Thomas, share and share alike.

Your complainant states that Samuel A. Riddick and John C. Parker, the executors named in said will, duly qualified as such in the Circuit Court of said County, and proceeded to execute the said will in part, and that John C. Parker, one of the executors therein, before the complete execution of said will, has departed this life, leaving the said Samuel A. Riddick as surviving executor. Your complainant says that the said executors have not paid to her the said sum of \$500.00, nor have they invested the same in a lot and house for her, and that the provision in said will by which she was to have the said sum of \$500.00 has not been carried out by the said executors.

Your complainant is advised that a large part of the estate of the said Nanny J. Thomas had not been administered, and that the said executors have filed no accounts of their transactions under said will, nor have they settled the said estate according to the provisions therein.

IN TENDER CONSIDERATION WHEREOF, and inasmuch as your complainant is without remedy save in a court of equity where all such matters are alone and properly cognizable, she prays that Samuel A. Riddick, in his own right, and as surviving Executor of Nanny J. Thomas, Julius O. Thomas, Martha J. Newman, Annie H. Covington, W. C. Ames, and W. P. Warren, Trustees of Christ Episcopal Church, of Smithfield, Virginia, and Catawba Sanatorium, ~~Incorporation~~, may be made parties defendants to this bill and be required to answer the same, though answer under oath is hereby expressly waived; that proper process issue; that it be referred to one of the Commissioners of this Court to take and render an account of the transactions of the said executors, and that this Court will proceed to direct the administration of the said estate according to the terms and provisions of the said will; that the said sum of \$500.00, with interest, be paid to her or invested as di-

rected by said will; that all proper orders may be directed and taken,  
and that all such other, further, general and special relief may be granted  
your complainant as the nature of her case may require or to equity shall  
seem meet.

Notice is hereby given that the Court will be asked to allow  
reasonable attorneys' fees to counsel for the complainant out of any funds  
coming under the control of the Court in this cause.

And your complainant will ever pray, etc.

Mary Hill  
By Wm. N. Sobrell Jr  
Attorney  
her counsel.

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Mary Hill

vs) Chancery. No. 370.

Samuel A. Riddick, surviving executor of Namy Thomas, etc.

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Complainants Bill.

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Second June Rules, 1921.

Process returned, executed on all defendants. Decree nisi.

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Third June Rules, 1921:

Defendants not appearing to plead, demur or answer, bill taken for confessed and cause set down for hearing.

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