1900-021
Nansemond Co (Suffolk)

Chancery Causes: Maggie Ballentine et al vs M.C Riddick, Exx et al

Wilder, Bailey, Robinson, Cherry, Holloway, Hannaford, Collins, Whitehurst, Copeland, Brewer, Stiald

MAY

31

Thursday

450 @ 3¢

3550 @ 6¾

JUNE

1

Friday

June 1 30 Days 1894

151—213

Oct 1897—1898

Chap 806.

Received of M. C. Riddick, Executrix of John R. Copeland, deceased, Trustee for Almira Hannaford, the sum of $9.77 in payment of clerk's cost in the chancery suit of Ballentine and others v. Riddick and others.

A. P. Gomer clerk

Received of M. C. Riddick, Executrix of John R. Copeland, deceased, Trustee of Almira Hannaford, the sum of $50.00 in payment of fee allowed me, as commissioner, in the chancery cause of Ballentine and others v. Riddick and others.

Dec 29, 1900

Lee Britt
Commissioner

40 09.62

Principal		4000
Interest		80
Less —		$4080.00
Costs =		
Commissions	200	
Fees	200	
Taxes	70.80	
Costs	75.27	546.07
For Distribution —		$3533.93

(1)	J. J. Hannaford —	441.74 1/8
(2)	G. W. Hannaford	441.74 1/8
(3)	Mary A. Collins	441.74 1/8
(4)	Margaret J. Hannaford	441.74 1/8
(5)	Sarah Cherry's heirs	441.74 1/8
(6)	H. H. Wilder	441.74 1/8
(7)	Jennie Ames heirs	441.74 1/8
(8)	Jos. B. Bailey's Adm'r	441.74 1/8
		$3533.93

4009.62
70.80
80.
4080.00

4080 –

200
200
50
25.27

475.27
70.80

546.07

4080.00
546.07
---
8) 35 33.93 (4 4 1.74
32

33
32

13
8

59
56

33

4009.20
70 80

5080 00

No. Suffolk, Va., Oct. 23rd 1900

The Farmers Bank of Nansemond

Pay to the order of A. A. Baker, Sheriff

Fifty and 50/100 Dollars

For Redemption of Real Estate

$50.00

M. C. Riddick Exrix

Wm. Mann Co., Philadelphia

STATE OF VIRGINIA, } S. S.
CITY OF PORTSMOUTH.

I, C. T. PHILLIPS, Clerk of the Court of Hustings for the City of Portsmouth, do hereby certify that at a Court held on the 22nd day of October 1900 ~~189~~ ~~guardian~~ Receiver was appointed by said Court ~~guardian~~ of the estate of his wife, Ethel May Whitehurst

~~orphan~~ of ~~deceased~~

and that the said George E. Whitehurst duly qualified before said Court, by giving the necessary bond and taking the required oaths, and that the said George E. Whitehurst is duly authorized to discharge the duty of ~~guardian~~ Receiver as aforesaid.

In testimony whereof I have hereto set my hand this 22nd day of October A.D. 1900 ~~189~~ . in the 125th year of the Commonwealth.

C. T. Phillips
Clerk of Court.

220.87
Geo. E. Whitehurst
Receiver

Mr. M. C. Riddick, Trustee. Dr.

1900. To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. 813 No. of Acres	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 30c. on $100.	Parish Levy, 8c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 15c. on $100.	TOTAL TAX.
To Real Estate, value $								
" Personal Property, value $ 4000	12 00	4 00	12 00					28 00
" , value $								
" Poll Taxes		~~1 00~~					~~50~~	
Total								
5 per cent. additional								
Total								

Received payment 25 day of Oct 1900

By Sidney T. Ellis Treasurer,

Per

No. 783

Mrs M. C. Riddick, Trustee

1900. **To THE TOWN OF SUFFOLK, Dr.**

To Tax on $ 4000 ..... Real and Personal Estate, at 84c. per $100, for General Purposes..	$ 33	60
" " " $ ..... Real and Personal Estate, at 7c. per $100, for the Poor.....	2	80
" " " $ ..... Real and Personal Estate, at 15c. per $100, for Schools.	6	00
" " " $ ..... Real and Personal Estate, at 1c. per $100, for Roads		40
" Capitation Tax, at 50 cents each, for all purposes.....		
TOTAL FOR ALL PURPOSES.....	42	80
" 5 per cent. added after December 1st.....		

Received payment 26th *day of* November, *190.0.* R. S. Boykin *Treasurer.*

Received of M. C. Riddick, Executrix of John R. Copeland, deceased, Trustee of Almira Hannaford, the sum of $441.74 being my distributive share in the funds distributed under a decree in the chancery suit of Ballentine and others v. Riddick and others, and being my proportionate part of the sum of $4000.00 left under the will of Mary B. Hannaford to Almira Hannaford for life and after her death for division among the parties entitled thereto under the provisions of the said will.

G. W. Hannaford

Bowles Chickasaw Co Miss
Nov 5th 1900

Mr. E. E. Holland
Suffolk
Va

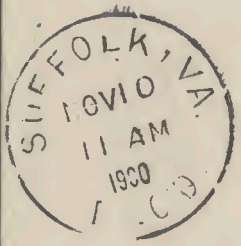
Dear Sir

Please find enclosed Check and receipt, forwarded to me by J. B. Hannaford Marrilton Ark, Miss Margret J. Hannafords Check and receipt, come here and has been forwarded to J. B. Hannaford who was authorized to collect for her.
My nearest Bank is the Merchants and Farmers Bank Okolona. Chickasaw Co Mississippi
Respectfully G. W. Hannaford

Bowles & Mitt
11 6 1900

Mr. E. E. Holland
Suffolk
Nansemond Co
Va

Lock Box 102


SUFFOLK, VA.
NOV 10
11 AM
1900

Received of M. C. Riddick, Executrix of John R. Copeland, deceased, Trustee of Almira Hannaford, the sum of $441.74, being my distributive share in the funds distributed under a decree in the chancery suit of Ballentine and others v. Riddick and others, and being my proportionate part of the sum of $4000.00 left under the will of Mary B. Hannaford to Almira Hannaford for life and after her death for division among the parties entitled thereto under the provisions of the said will. Received check to Bank of Nansemond

Margaret J Hannaford

November 10th 1900

By J T Hannaford

OFFICE OF

J. T. HANNAFORD,

DEALER IN

General Merchandise.

Morrilton, Ark Nov 10th 1900.

E E Holland Atty
Suffolk Va

Dear Sir

I received this day from My Sister Margaret J Hannaford check #4414 for Collection and for her acct and Enclosed please find receipt Signed for Same Most Respectfully

J T Hannaford

After ten days return to

J. T. HANNAFORD,

GENERAL MERCHANDISE,

Morrilton, Ark.

MORRILTON
NOV
10
6PM
190

E. E. Holland

Attorney at Law

Suffolk

Received of M. C. Riddick, Executrix of John R. Copeland, deceased, Trustee of Almira Hannaford, the sum of $441.74, being my distributive share in the funds distributed under a decree on the chancery suit of Ballentine and others v. Riddick and others, and being my proportionate part of the sum of $4000.00 left under the will of Mary B. Hannaford to Almira Hannaford for life and after her death for division among the parties entitled thereto under the provisions of said will. Received in check to Farmers Bank of Rapidan Va

October 26th 1900 J T Hannaford

OFFICE OF

J. T. HANNAFORD,

DEALER IN

General Merchandise.

Morrilton, Ark. Oct 26th 1900.

E E. Holland
Lock Box 102
Suffolk Va

Dear Sir

Yours of 23d received with Enclosed Check for $441.74 and Enclosed please find receipt Signed for Same. I am Sorry there was So much Expended in Chancery Suit. You will please Send me Statement of Expenses of Suit.

Also I received in Same mail a letter to my care directed to Mr G. H. Hannaford Morrilton Ark. He is my brother and his Post offick is Bowles Chickasaw Co Miss. and I this day forward Same

– letter to him at Bowles
missi as I am not authorized
to receipt for him –
But I am authorized to receipt
for My Sister – Miss M. J –
Hannaford's proportionate
part of Estate of mrs Mary B
Hannaford. as I attend
to her business you will
please mail to me her
Check and receipt and
I will sign and return
promptly – Respectfully
J. T. Hannaford

50

200
200
70.80
470.80
47.08
423.72

423.72
100.00
523.72
52.37
471.35

400.00
71.35
471.35

Circuit Court of Nansemond Co. Va.

Maggie Ballentine, and Chas. Ballentine, her husband Henry H. Wilder, J.W. Bailey, H.B. Bailey, Edna Robinson, Bailey Robinson, Wm. H. Cherry, Eugene Holloway, Thos. T. Holloway, James T. Hannaford, G.H. Hannaford, Mary A. Collins, and Margaret J. Hannaford,

Hannaford,

against. :- In Chancery.

Executrix of Jno. R. Copeland, deceased,
M.C. Riddick ~~substituted~~ trustee under the last will and testament of Mary B. Hannaford deced., Ethel Whitehurst and Benjamin Robinson, the last two infants under aged of twenty one years in their own right

Returnable to March 1900—

Rules on 3rd Monday in

N. R. Griffin p.q.

Jno. A. Gomes Clerk of said Court.

Fay $1.50

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mrs Riddick Executrix of Jno R Copeland deceased trustee under the last will and testament of Mary B Nansford decd: Ethel Whitehurst and Benjamin Robinson the last two infants under the age of twenty one years in their own right

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1900, to answer a Bill in Chancery, exhibited against them in the said Court by Maggie Ballentine and Charles Balentine her husband Henry Wieder J W Bailey A B Bailey Edna Robinson Bailey Robinson Wm A Cherry Eugene Holloway Thos E Holloway James T Nansford G N Nansford Mary A Collins and Margaret J Nansford

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 16th day of March 1900, 1——, in the 124th year of the Commonwealth.

A copy—Teste:

——————————, CLERK.

Teste:

C. [illegible], CLERK.

Executed this 17th day of March 1900 in the
within aforesaid by delivering a true copy of this
writing aforesaid to Mrs L Riddick
J. F. DeBerry Deputy
for A. A. Baker Sheriff

K R Griffin ..... p. q.

Maggie Ballentine &c thus

vs. } In Chancery.

Mrs Riddick Exr &c

1900

March Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 192

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Mrs E Riddick Executrix of Jno R Copeland deceased trustee under the last will and testament of Mary B Nansford decd, Ethel White heirs and Benjamin Robinson the last two infants under age of twenty one years in their own right

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1900, to answer a Bill in Chancery, exhibited against them in the said Court by Maggie Ballentine and Chas Ballentine her husband Henry D Wilder J W Bailey, N B Bailey Edna Robinson Bailey Robinson Wm H Cherry Eugene Holloway Thos S Holloway James S Nansford G N Nansford Mary A Collins and Margaret J Nansford

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 16th day of March, 1900, in the 124th year of the Commonwealth.

A copy—Teste:
A P Gomer, CLERK.

Teste:
A P Gomer, CLERK.

K R Griffin p. q.

A Copy Ex
Benjamin Robinson

vs. } *In Chancery.*

Infant

1900

March *Rules.*

Third *Monday.*

Nansemond Circuit Court.

Process Book No. 2

Page 192

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON M L Riddick Executor of J No R Copeland deceased trustee under the last will and testament of Mary B Namaford decd: Ethel Whitehurst and Benjamin Robinson the last two infants under age of twenty one years in their own right

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in March 1900, to answer a Bill in Chancery, exhibited against them in the said Court by Maggie Ballentine and Chas Ballentine her husband Henry D Wilder J W Bailey & B Bailey Edna Robinson Bailey Robinson Wm A Cherry Eugene Holloway Thos. T Holloway James T Namaford G & Namaford Mary A Collins and Margaret J Namaford

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 16th day of March 1900, 1—, in the 124th year of the Commonwealth.

A copy—Teste: A P Gomer, CLERK.

Teste: A P Gomer, CLERK.

K R Griffin p. q.

A Copy Ser
Ethel Whitehurst

vs. } In Chancery.

Infant

1900

March Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 192

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Maggie Ballentine, and Charles Ballentine, her husband, Henry H. Wilder, J. W. Bailey, H. B. Bailey, Edna Robinson, Bailey Robinson, William H. Cherry, Eugene Holloway, Thomas T. Holloway, James T. Hannaford, G. H. Hannaford, Mary A. Collins and Margaret J.Hannaford, } Plaintiffs,

vs.

M. C. Riddick, executrix of John R. Copeland, trustee, under the last will and testament of Mary B. Hannaford deceased, Ethel Whitehurst and Benjamin Robinson. } Defendants.

At Rules held for said Court on the 3rd Monday in March, 1900.

On motion of the complainants, by counsel, R. H. Rawles, an Attorney at Law, is hereby assigned guardian ad litem to defend the interests of the infant defendants, Ethel Whitehurst and Benjamin Robinson, in said suit.

J. P. Gomer Clerk

In the Circuit Court of Nansemond County-

Maggie Ballentine and Others----------Complainants-

VS

M.C.Riddick,Executrix,and Others----------Defendants-

To the Honorable Robert R.Prentis,Judge of the Circuit Court of the County of Nansemond:-

Pursuant to decree in this cause of the IO day of April I900,upon reference to me as one of the Commissioners in Chancery of said Court,and after and in accordance with notice to parties plaintiff and defendant,returned herewith,I proceeded on the 30 day of May I900,and on subsequent days by adjournment,to make the inquiries and examination,and to state the accounts and matters required by the decree,and now report to the court as follows:-

Ist-"An account of the transactions of M.C.Riddick,Executrix of John R.Copeland,Trustee,deceased,showing the amount of money now in her hands as such Executrix to the credit of the trust fund referred to in complainant's bill,with the accrued interest thereon,taking as prima facie correct any account heretofore confirmed."

Almira Hannaford,

In Account with M.C.Riddick,Executrix of John R.Copeland,Trustee,deceased---Cr-

I899-
Nov.28-By amount of bequest made by Mary B.Hannaford upon which the interest is to be paid to said Almira Hannaford during her life $4000.00

---Dr---

Mch I-By amount of interest collected on $3550- at six per cent.,and on $450 at three per cent. from Nov.28,I899 to Mch I,I900,date of death of said Almira Hannaford---------- $39.64

I900- --Dr--

Feb.7-To amt p'd acc't of Mrs Nettie Byrd (Voucher) .75
Apl I5-To amt p'd on acc't of M.W.Smith&Co. for funeral expenses of Almira Hannaford, included in receipt for whole-(voucher) 37.0I
Mch I-To amt of five per cent.commission on $39.64 retained by the Executrix I.88
To amount of said bequest to balance 4000.00

$4039.64-$4039.64

I900-Sept.I9-
By amount of bequest now in hands of the said Executrix for distribution under the decree of court in this cause among those legally entitled thereto ,after deducting therefrom the taxes and costs of suit to be paid $4000.00.

The amount of taxes on the said bequest due and payable for the year 1900 is as follows:-

For State and County purposes	$42.80
For Town of Suffolk purposes	28.00
Aggregating the sum of	$70.80

* Your commissioner has not charged the Executrix with interest on the said sum of $4000 from March 1, 1900, as she deposited the same in bank on the death of the said Almira Hannaford in anticipation of its prompt distribution among thos entitled to it, subject to check.

2nd-'An account of the heirs and distributees who are entitled, under the will of Mary B. Hannaford, deceased, filed as an exhibit with the complainants' bill in this cause, to share in the proceeds of said trust fund, together with the amounts of their respective interests therein; which said inquiries the said commissioner shall make and report to court, together with any matter specially stated, deemed pertinent by himself, or required by any party to be so stated.'

Your commissioner has made long and continued investigation of the matters submitted to him in this cause, and, on the testimony taken and information obtained from other sources as to the heirs and distributees who are entitled to share in the proceeds of the said trust fund and the amounts of their respective shares therein, after the payment of taxes for the year 1900 on the amount of said trust fund and the costs of this suit, he reports that the heirs and distributees and their respective shares in the net proceeds are as follows:-

(1) J.T. Hannaford, -------Morrilton, Ark., one share, or 1/8

(2) G.H. Hannaford, -------Lewisburg, Miss, one share, or 1/8

(3) Mary A. Collins, ------Lewisburg, Miss, one share, or 1/8

(4) Margaret J. Hannaford, Lewisburg, Miss, one share, or 1/8

(5) The heirs of Sarah Cherry, deceased, one share, or 1/8

The heirs of said Sarah Cherry, deceased, being as follows; To wit:-
William W. Cherry, Eugene Holloway and Thomas T. Holloway, Lewisburg, Miss., each one third of one share, or one twenty fourth of the whole amount, each.

(6) Henry H. Wilder, Norfolk, Va., one share, or --------I/8

(7) The heirs of Fannie Oliver, one share, or -------I/8
The heirs of said Fannie Oliver, deceased, being as follows, to wit:-
Maggie Ballentine and Ethel Whitehurst, Portsmouth, Va., each one half of one share, or one sixteenth of the whole amount, each.

(8) The heirs and distributees of Rev. Joseph B. Bailey, deceased, one share, or----------I/8
The heirs of the said Rev. Joseph B. Bailey, deceased, being as follows, to wit:-
J.W. Bailey, Portsmouth, Va., H.B. Bailey, Wilmington, N.C., and the Heirs, jointly, of Margaret A. Robeson, nee Bailey, deceased, each one third of one share, or one twenty fourth of the whole amount to each of the three branches of the family represented as above.
(3) The heirs of the said Margaret A. Robeson, nee Bailey, deceased, being as follows, to wit:-
Edna G. Robeson, Atlanta, Ga., James Bailey Robeson, and Benjamin A. Robeson, Wilmington, N.C., each one third of one twenty fourth of one share, or one seventy second part of the whole amount, each, barring the possible interests of the widow of the said Rev. Jospeh B. Bailey, deceased, and the husband of the said Margaret A. Robeson, nee Bailey, deceased, now living in North Carolina.

Your commissioner is advised that Margaret G. Bailey, the widow of the said Rev. Joseph B. Bailey, deceased, and Cad, Robeson, the husband of the said Margaret A. Robeson, nee Bailey, deceased, are now living in the State of North Carolina, the home of said Joseph B. Bailey, deceased, at the time of his death, and that he died after the death of Mary B. Hannaford, but before the termination of the life estate of Almira Hannaford, now deceased, in the said trust fund, and as your commissioner is not advised as to whether or not the said widow, Margaret G. Bailey, and the said husband, Cad Robeson, have any interest in the said Joseph B. Bailey share under the Statute of Dis-

tributions of the said State of North Carolina, he is of the opinion that the said share in the said trust fund should be distributed among those legally entitled to the same under the laws of said State through an administrator on the estate of the said Rev. Joseph B. Bailey, deceased.

Your commissioner regrets that J.W. Bailey, plaintiff and one of the heirs mentioned in this cause, has seen fit to voluntarily inject in his deposition that counsel for plaintiffs of record does not represent him in this cause, but the said Bailey accepted service in person of your commissioner's notice to make the inquiries required by the said decree and to make up this report.

Your commissioner returns herewith the depositions of Maggie Ballentine, Ethel M. Whitehurst, M.C. Riddick, R.L. Brewer, Sr., and J.W. Bailey (two depositions), and also two letters signed by J.T. Hannaford, dated Jany II, 1897, and July 14, 1900, respectively, and one letter signed by Mary A. Collins, dated July 16, 1900.

Respectfully submitted,

Lee Britt

Commissioner.

Sept 20, 1900 —

Fee for this report $50 —

Commissioner's Office,
Suffolk,Va.,May 16,1900.

To--

Maggie Ballentine and Charles Ballentine,her husband,Henry H.Wilder,J.W.Bailey,H.B.Bailey, Edna Robinson,Bailey Robinson,William H.Cherry, Eugene Holloway,Thomas T.Holloway,James T.Hannaford,G.H.Hannaford,Mary A.Collins,and Margaret J.Hannaford,----------Plaintiffs-

VS

M.C.Riddick,Executrix of John R.Copeland,Trustee, under the last will and testament of Mary B.Hannaford,deceased,Ethel Whitehurst and Benjamin Robinson,infants,and R.H.Rawles,guardian ad litem,of the said infants,Ethel Whitehurst and Benjamin Robinson,----------Defendants-

You are hereby notified that on the 30 day of May 1900,at my office in Suffolk,Virginia,(at which time and place you are required to attend) I shall take,state and settle the following accounts to be reported to court in pursuance of the decree of the Circuit Court of the County of Nansemond,rendered on the 10 day of April 1900,in the suit in chancery pending in said Court,to which you are parties plaintiff and defendant,to wit:-

'1st-An account of the transactions of M.C.Riddick,Executrix of John R.Copeland,Trustee,deceased,showing the amount of money now in her hands as such executrix to the credit of the trust fund referred to in complainants' bill, with the accrued interest thereon,taking as prima facie correct any account heretofore confirmed.

2nd-An account of the heirs and distributees who are entitled,under the will of Mary B.Hannaford,deceased,filed as an exhibit with the complainants' bill in this cause,to share in the proceeds of said trust fund,together with the amounts of their respective interests therein; which said inquiries the Commissioner shall make and report to court,together with any matter specially stated,deemed pertinent by himself,or required by any party to be so stated.'

Given under my hand,as a Commissioner in Chancery of said Court,the day and year first aforesaid.

Lee Britt

Commissioner in Chancery.

Original.

Maggie Ballentine et als.

VS) In Chancery-

M.C.Riddick, Ex'x et als.

Commissioner's Notice

Commissioner's Office-
Suffolk, Va., May 16, 1900.

To--

Maggie Ballentine and Charles Ballentine, her husband, Henry H. Wilder, J.W. Bailey, H.B. Bailey, Edna Robinson, Bailey Robinson, William H. Cherry, Eugene Holloway, Thomas T. Holloway, James T. Hannaford, G.H. Hannaford, Mary A. Collins and Margaret J. Hannaford----------Plaintiffs-

VS

M.C. Riddick, Executrix of John R. Copeland, Trustee, under the last will and testament of Mary B. Hannaford, deceased, Ethel Whitehurst and Benjamin Robinson, infants, and R.H. Rawles, guardian ad litem of the said infants, Ethel Whitehurst and Benjamin Robinson----------Defendants-

You are hereby notified that on the 30 day of May 1900, at my office in Suffolk, Virginia, (at which time and place you are required to attend) I shall take, state and settle the following accounts to be reported to court in pursuance of the decree of the Circuit Court of the County of Nansemond, rendered on the 10 day of April 1900, in the suit in chancery pending in said Court to which you are parties plaintiff and defendant, to wit:-

'Ist-An account of the transactions of M.C. Riddick, Executrix of John R. Copeland, Trustee, deceased, showing the amount of money now in her hands as such executrix to the credit of the trust fund referred to in complainants' bill, with the accrued interest thereon, taking as prima facie correct any account heretofore confirmed.

2nd-An account of the heirs and distributees who are entitled, under the will of Mary B. Hannaford, deceased, filed as an exhibit with the complainants' bill in this cause, to share in the proceeds of said trust fund, together with the amounts of their respective interests therein; which said inquiries the Commissioner shall make and report to court, together with any matter specially stated, deemed pertinent by himself, or required by any party to be so stated.'

Given under my hand, as a Commissioner in Chancery of said Court, the day and year first aforesaid.

Leo Britt

Commissioner in Chancery

Due legal and sufficient ser-
vice of the within notice accepted
this 5th day of March 1900
for defendants
R.R. Cowles
Sol for Defendants

Original

Maggie Ballentine et als-

VS) In Chancery--

M.C.Riddick,Ex'x et als-

Commissioner's Notice

To---

Please take notice that on the 30 day of March 1900, at my office in Suffolk, Virginia, (at which time and place you are required to attend) I shall take, state and settle the following accounts to be reported to court in pursuance of the decree of the Circuit Court of the County of Nansemond, rendered on the 10 day of April 1900 in the suit in chancery pending in said Court to which you are parties plaintiff and defendant, to wit:-

"1st-An account of the transactions of M.C. Riddick, Executrix of John R. Copeland, Testator, ceased, showing the amount of money now in her hands as such executrix to the credit of the trust fund referred to in complainants' bill, with the accrued interest thereon, taking as prima facie correct any account heretofore confirmed.

2nd-An account of the heirs and distributees who are entitled, under the will of Mary B. Hunnicutt, deceased, filed as an exhibit with the complainants' bill in this cause, to share in the proceeds of said trust fund, together with the amounts of their respective interests therein; which said inquiries the Commissioner shall make and report to court, together with any matter specially stated, deemed pertinent by himself, or required by any party to be so stated."

Given under my hand, as a Commissioner in Chancery of said Court, the day and year first aforesaid.

Commissioner in Chance

J. T. Hannaford. OFFICE OF J. W. Todd.

J. T. HANNAFORD & COMPANY,

DEALERS IN

GENERAL MERCHANDISE.

MANUFACTURERS' AGENTS.

Morrilton, Ark Jan 11th 1897.

Mr. M C Riddick

Suffolk Va

Your of 5th Inst received I would have written Sooner but have been waiting to hear from my Brotherinlaw in Miss. I wrote him in Dec & Enclosed Yours & requested him to see all heirs in Miss and telling him I favored the proposition. My first letter was not delivered and I wrote a 2d time as per his letter Enclosed I think best to give You the address of Each and let You write them and Enclose to Each of us receipts with necessary papers to sign and place on record there to wind up that part of your Fathers business with Estate of Mrs Mary B Hannaford

Miss Margaret J Hannaford
Mrs Mary A Collins
both P.O— Lewisburg
Desoto Co Miss
Also the heirs of my deceased
Sister Sarah one Wm Cherry
Eugene Halloway. Thomas Halloway
P O — Lewisburg
Desoto Co Miss
And my Brothers address is
G. H. Hannaford. Bowles
Chickasaw Co
miss
You will please return the
Enclosed letter of my Bro in law
With Kindest Regards
I am Yours Truly
J. T. Hannaford

OFFICE OF

J. T. HANNAFORD,

DEALER IN

General Merchandise.

Morrilton, Ark July 17th 1900.

Lee Britt-Commissioner
Suffolk / Va

Dear Sir

I hereby confirm the list of heirs in the South as given in Your letter of the 11th to draw Shares under the will of Mrs Mary B. Hannaford.
Also the following is a list of those in the South who drew shares about 1883 paid by Col Copeland under a construction of my Aunts will-then
G H Hannaford Lives at Bowles Miss
Mrs Mary A Collins " " Lewisburg Miss
Miss Margaret J Hannaford " "
The Children of Sarah Cherry formerly Mrs Halloway - are Mrs M. Cherry Eugene and Thomas Halloway

OFFICE OF

J. T. HANNAFORD,

DEALER IN

General Merchandise.

2

Morrilton, Ark. _____ 1900.

all three of the boys are over 21. years old and have the same post office Lewisburg DeSoto Co. Mississippi. My Sister their mother the late Mrs Holloway has been dead Several Years and her two husbands are dead they died before she did! My address is Morrilton Ark. My Sister Miss Margaret J. Hannaford is 65. Years old and is getting on the recluse order and as I have always attended to her business she request me to draw her Share and receipt in her name for same.

I received a letter yesterday

OFFICE OF

J. T. HANNAFORD,

DEALER IN

General Merchandise.

Morrilton, Ark. 1900.

3d

From My friend Mrs Riddick
and answered it
And any information I
can give you or her at
any time I will take
pleasure in doing so
And wishing that all
may be pleasantly and
Satisfactorily Settled soon
I am Your Most Respectfully
J. T. Hannaford

—OFFICE OF—
H.H.COLLINS,
GENERAL MERCHANT.

Lewisburg, Miss., July 16 1900

Lee Britt Esq.,
Suffolk, Va.

Dear Sir,

Yours of the 11th inst. received and would say in reply the list of niece and nephews that you have of Thomas W. Hannaford is correct for this part of the country.

You wish to know if the husband of Mrs. Holloway is still living? He is not. Mrs. Holloway was a widow at the time of her death and had been for several years previous. Her children are all over twenty one years of age; the names of which you have. Mrs. Holloway died soon after our aunt, Mrs. Mary B. Hannaford, the only niece & nephew that have died since our aunt died that we know of. Respt. Mary A. Collins

Maggie Ballentine an Others

VS } In Chancery--

M. C. Riddick, Executrix, &Others.

Report of Commissioner under Decree for Reference as to Heirs and Distributees of Estate &c.

Filed in the Clerk's Office September 20, 1900.

1900 Sept- 20 th Filed
A. L. Gomez clk

Maggie Ballentine + als
vs } decree
M. C. Riddick, executrix + als

This day this cause came on to be further heard on the papers formerly read and ~~xxxx~~ the report of Lee Britt, filed with the papers in this cause Sept 20th 1900, and was argued by counsel; and no exceptions being taken to said report, the Court doth confirm the same; And doth adjudge, order and decree that M. C. Riddick executrix aforesaid, be, and she is hereby directed to pay out of the funds now in her hands as executrix of John R. Copeland deceased, and such acting trustee under the last will and testament of Mary B. Hannaford in her life time, the costs and expenses of this suit, including a fee of $ to R. R. Griffin, attorney for plaintiffs, and to E. E. Holland attorney for defendant a fee of $; And after paying said cost and fees, she is further directed to check upon the remainder of said fund, and payable as follows (taking proper receipts for the same and filing them as vouchers with a report of her transactions under this decree), to wit; To J. J. Hannaford 1/8 part of said remainder; To G. H. Hannaford 1/8 part thereof; To Mary A. Collins

1/8 part thereof: To Margaret Hannaford 1/8 part thereof: To William H. Cherry, Eugene Holloway and Thomas T. Holloway, the heirs of Sarah Cherry deceased, each 1/24 part thereof: To Henry Hilder or K.R. Griffin his attorney 1/8 part thereof; To Maggie Valentine or K.R. Griffin her attorney 1/16 part thereof: To the legal guardians of Ethel Whitehurst or to K. R. Griffin his attorney 1/16 part thereof: To J. H. Bailey and H. B. Bailey, heirs of Rev Jos B. Bailey deceased, each 1/24 part thereof: and to Edna G. Robson, James Bailey Robson and Benjiman A. Robson, heirs of Margaret A. Robson, dec'd, each 1/72 part thereof. And the said M. C. Riddick, executrix, is directed to report to Court her proceedings under this decree, in order for a final decree

Ballentine et als
vs
Deere
M. C. Riddick executrix

Deere

to be entered

Maggie E. Ballentine et als.

vs.

M. C. Riddick, Executrix of John R. Copeland, Trustee for Almira Hannaford, deceased, et als.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commiasioner, Lee Britt, showing the balance now in the hands of M. C. Riddick, Executrix of John R. Copeland, trustee for Almira Hannaford, deceased, and also showing the several parties now entitled to share in the distribution of said amount now in the hands of the said M. C. Riddick, Executrix as aforesaid, filed herein on the 20th day of September, 1900, to which report no exceptions have been filed, and was argued by counsel.

On consideration whereof the court doth ratify, approve and confirm the said report, and doth further order, adjudge and decree that the said M. C. Riddick, executrix of John R. Copeland, deceased, trustee as aforesaid, shall, after paying the costs of this suit, including a fee of $100 to the attorney for plaintiff, and also a fee of $100 to the defendant's attorney in this case, and also after deducting from the amount in hand the amount of 5% commission and charging her with three per cent interest per annum on the fund allowed to said Executrix as compensation for her services, proceed to distribute the balance then in hand among the parties shown to be entitled thereto by the report of said Commissioner, Lee Britt, as aforesaid, and according to their respective interests and rights as shown by said report. And the said M. C. Riddick, Executrix as aforesaid shall report to the court an account of said distribution as aforesaid. And this cause is continued.

Ballentile vals
vs
Deree
Ruddell Ex parte

Oct. 9, 1900

To be entered

Robert C. Davis

Entered in Chancery
Order Book No 3
Page 310.

-IN THE CIRCUIT COURT OF NANSEMOND COUNTY.-

Maggie Ballentine et als.

vs.

M. C. Riddick, Executrix of John R. Copeland, Trustee, deceased, et als.

This cause came on this day to be heard upon the bill of complaint, upon the answer of M. C. Riddick, Executrix of John R. Copeland, Trustee, deceased, and upon the answer of the infant defendants by R. H. Rawles, their guardian ad litem, heretofore appointed as such at Rules, the answer of the said R. H. Rawles, guardian ad litem to the said infant defendants, with replications thereto, and exhibits filed, and was argued by Counsel:

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

1st. An account of the transactions of M. C. Riddick, Executrix of John R. Copeland, Trustee, deceased, showing the amount of money now in her hands as such Executrix to the credit of the trust fund referred to in complainants' bill, with the accrued interest thereon, taking as prima facie correct any account heretofor confirmed.—

2nd. An account of the heirs and distributees who are entitled, under the will of Mary B. Hannaford, deceased, filed as an exhibit with the complainants' bill in this cause, to share in the proceeds of said trust fund, together with the amounts of their respective interests therein; which said inquiries the said Commissioner shall make and report to Court together with any matter specially stated, deemed pertinent by himself, or required by any party to be so stated.

And the Court doth further adjudge, order and decree that this be made a Vacation Cause to be submitted to the Judge for such decision and decree herein, in Vacation, as may be made in Term

Ballentine
&
Deneen
&
Riddick

By Consent of parties of
record

K. L. Griffin
for Complainants
E. E. Haggard
for defendants

Enter Feb. 10, 1900

Robert Davis

Entered in Chancery
Order Book No 3.
Page 174.

In the name of God Amen. I Mary Brewer Hannaford, widow of the late Thomas W. Hannaford deceased, of the town of Suffolk, County of Nansemond and State of Virginia, being of sound mind and disposing memory, do make this my last will and testament as follows, that is to say:

First: My desire is to be buried in the family burying ground in Cedar Hill Cemetary in the town of Suffolk in a decent and christian manner.

Second. After the payment of all my just debts and funeral expenses, I give and bequeath to the trustees of the Baptist Church in Suffolk, the sum of three thousand dollars ($3000.) as a tribute of affectionate love to my beloved son David O. Hannaford decd. and my brother David O'Shield decd. both of whom were members of that denomination.

Third. I give and bequeath unto Richard L. Brewer as trustee, the sum of Five hundred ($500)

dollars during his natural life and at his death, or before, he the said Brewer to appoint a trustee to act in his stead, the interest on which said sum of $500. shall be applied by the said Brewer and his successor to keeping in repair the family burying ground at Cedar Hill Cemetary and twenty-one years and ten months after the said Brewer, shall die, then the said sum of $500. to revert and pass to the heirs and distributees of my late husband, Thomas W. Hannaford decd.

Fourth It is my will and desire that my executor of this my last will and testament, as soon as may be after my death, erect such monuments to the memory of the family as he may deem proper and appropriate in Cedar Hill Cemetery, which are to be paid out of my estate.

Fifth: It is my will and desire, and I hereby give and bequeath

unto my daughter in law Almira Hannaford the widow of my son the late Wm. J. Hannaford decd. the sum of four thousand ($4000) dollars to be held in trust by John R. Copeland as trustee, with authority to appoint a trustee to act in his place & stead. to be held in trust for her benefit by the said trustee, for and during her natural life, the interest on the said sum of $4000. to be paid to her the said Almira Hannaford quarterly by my said trustee and at her death, the said sum of $4000. shall pass and be equally divided between the children of the Brothers and sisters of my late husband Thomas W. Hannaford, who may be living at the time of my death, share and share alike.

Sixth. It is my will and desire, that my executor shall sell all the rest and residue of my estate, both real and personal of every sort and description and the proceeds

arising from such sales be equeally divided between the Children of the Brothers and Sisters of my late husband Thomas W. Hannaford decd. share & share alike; and I hereby authorise my executor, to make such deeds or conveyance as may be requisite to the purchaser or purchasers of the lands and other property as I have directed to be sold.

And Lastly: I nominate and appoint John R. Copeland as my executor and trustee of this my last will and testament, and I request the Court in which he qualifies to require no security of him.—

In witness whereof I the said testatrix Mary B. Hannaford have hereunto set my hand and seal this 30th. day of May 1883.

+interlined before signed.

Mary B. Hannaford (seal)

Signed, sealed, published and declared by the testatrix Mary B.

Hannaford as and for her last will and testament in the presence of us who in her presence at her request and in the presence of each other have subscribed our names as witnesses.

W. H. Jones Jr.
E. E. Holland.

13

At a Monthly Court continued and held for Nansemond County the 22nd day of June 1883. This Last Will and Testament of Mary B. Hannaford, late of this County, deceased, was this day fully proved by the oaths of W. H. Jones Jr. and E. E. Holland the subscribing witnesses hereto, and was thereupon ordered to be recorded. And, on the motion of John R. Copeland, the only Executor and one of the Trustees named in the said Will, who made oath as the law directs, and entered into a bond in the penalty of Twenty-five Thousand dollars conditioned according to

law, (but without security, the will directing that none should be required of him, and which said bond being acknowledged by the obligor therein is ordered to be recorded,) Certificate is granted the said John R. Copeland for obtaining a probat of the said Will in due form.

Teste:

Peter B. Prentis Clerk.

A Copy

Teste: A. P. Gomez D.C

Mary B. Hannaford's
— Will —

Recorded in Will
Book No. 3 - Page
564

A Copy

Fee $1.25

In the name of God Amen. I Mary Brewer Hannaford widow of the late Thomas H Hannaford deceased of the Town of Suffolk County of Nansemond and State of Virginia, being of sound mind and disposing memory, do make this my last will and testament as follows, that is to say.

First. My desire is to be buried in the family burying ground in Cedar Hill Cemetery in the Town of Suffolk in a decent and Chystian manner.

Second. After the payment of all of my just debts and funeral expenses I give and bequeathe to the Trustees of the Baptist Church in Suffolk, the sum of three thousand dollars ($3000) as a tribute of affectionate love, to my beloved Sgn David O Hannaford deceased and my brother David O Stiald decd. both of whom were members of that denomination

Third. I give and bequeath unto Richard L Brewer as trustee the sum of five hundred $500 dollars during his natural life and at his death or before be the said Brewer to appoint a trustee to act in his stead the interest

in which said sum of $500. shall be applied by the said Brewer and his successor to keeping in repair the family burying ground at Cedar Hill Cemetery and twenty one years and ten months after the said Brewer shall die, then the said sum of $500 to revert and pass to the heirs and distributees of my late husband Thomas W Hannaford decd.

Fourth: It is my will and desire that my Executor of this my last will and testament as soon as may be after my death, erect such monuments to the memory of the family as he may deem proper and appropriate in Cedar Hill Cemetery, which ~~which~~ are to be paid out of my Estate.

Fifth. It is my will and desire; and I hereby give and bequeath unto my daughter in law Almira Hannaford the widow of my son Wm T Hannaford decd, the sum of four thousand ($4000.) dollars to be held in trust by John R Copeland as trustee with authority to appoint a trustee to act in his place & stead; to be held in trust for her benefit by the said trustee for and during her natural life the interest on the said sum of $4000

to lee paid to her the said Almira Hannaford quarterly, by my said Trustee and at her death the said sum of $4000. shall pass and be equally divided between the children of the brothers and sisters of my late husband Thomas W Hannaford who may be living at the time of my death, share and share alike.

Sixth. It is my will and desire that my Executor shall sell all the rest and residue of my estate, both real and personal of every sort and description and the proceeds arising from such sales be equally divided between the children of the brothers and sisters of my late husband Thomas W Hannaford dec'd. share & share alike: And I hereby authorize my executor to make such deed or conveyance as may be requisite to the purchaser or purchasers of the lands and other property as I have directed to be sold.

And Lastly: I nominate and appoint John R Copeland as my Executor and trustee of this my last will and testament and I request the Court in which he qualifies to require no security of him.

In witness whereof I the said Testatrix

Mary B Hannaford have hereunto set my hand and seal this 30th day of May 1883.

Mary B Hannaford [seal]

Signed sealed published and declared by the testatrix Mary B Hannaford as and for her last will and testament in the presence of us who in her presence at her request and in the presence of each other have subscribed our names as witnesses

W A Jones Jr.

E E Holland

At a monthly Court Continued and held for Nansemond County the 22nd day of June 1883.

This last will and testament of Mary B Hannaford late of this County deceased was this day fully proved by the oaths of W A Jones Jr and E E Holland the subscribing witnesses hereto, and was thereupon ordered to be recorded, and on the motion of John R Copeland the only Executor and one of the trustees named in the said will who made oath

as the law directs, and entered into a bond in the penalty of Twenty Five thousand Dollars, Conditioned according to law (but without security the will directing that none should be required of him, and which said Bond being acknowledged by the obligor therein is ordered to be recorded),
Certificate is granted the said John R Copeland for obtaining a probat of the said Will in due form.

Teste:

Peter B. Prentis clerk

A Copy

Teste:

A. P. Gomez D.C

2429

Germany, Kiel

MA-1328 650

2548

The depositions of Mrs.Maggie Ballentine,R.L. Brewer,Sr.,and others taken before me,Lee Britt, a Commissioner in Chancery of the Circuit Court for the county of Nansemond,pursuant to notice hereto annexed,at Suffolk,Va.,on the 30 day of May 1900,to be read as evidence in behalf of ef-Maggie Ballentine and others ,plaintiffs,in a certain suit in chancery depending in the circuit court of Nansemond County wherein M.C.Riddick-Executrix of John R.Copeland,deceased,Trustee, and others are defendants.

Present Col.K.R.Griffin,attorney for Plaintiffs.

The witness ,Mrs.Maggie Ballentine,being duly sworn,deposes as follows,to wit:-

What is your name,age,residence and occupation, and do you know the parties to this suit?
A-Maggie Virginia Ballentine,formerly Oliver, age 34 years,residence,Portsmouth,Va,,occupation, housekeeper,and I know some of the parties to this suit to wit:-Henry H.Wilder,James W.Bailey, Miss Ethel Whitehurst,and I know that there are others living who are distributees of the estate of Thomas W.Hannaford,deceased,~~to wit~~:-but I do not know them personally,or their names.
Q.Mrs.Ballentine,please state your relationship to Thomas W.Hannaford,deceased?
A-I am the daughter of Fannie Oliver,who was the daughter of Ann Cherry and Kedar Cherry,and that the said Ann Cherry,my grand mother, was the sister of Thomas W.Hannaford,deceased.
Q-How many children of Mrs.Oliver were living at the time of Mrs.Mary B.Hannaford's death?
A-She had only one child living at the time of her death,myself,as my sister,her other child,was dead at that time,but she left a child,a daughter, namedEthel Whitehurst,now living,who is under the age of twenty one years.My sister's name was Mattie Oliver.Ethel Whitehurst is a party to this suit.
Q-Please state whether,or not,you and Miss Ethel Whitehurst are the only heirs of the Thomas W. Hannaford estate through Ann Hannaford his sister?
A-Yes we are the only ones I know anything about.
Q-Then as I understand,you and Miss Ethel Whitehurst are entitled to one share of the $4000 mentioned in this suit under the will of Mrs. Mary B.Hannaford,deceased,that is to say,that you are entitled to one half of said share and Miss Ethel the other?
A-Yes,that is true.
Q-Did you know the mother and father of Henry H. Wilder?
A-His mother was a Hannaford.Uncle Tommie raised her.His mother's name was Ann ,who was the daughter of Thomas W.Hannaford's brother,but I do not know his name.
Q-Do you know whether there was any other child by that marriage?
A-No sir I do not.

Q-have never heard of any other.

Further this deponent saith not.

Signed,

Maggie Va Ballentine

Miss Ethel Whitehurst, being duly sworn deposes as follows, to wit:-
Q-State your name, age, residence and occupation-
A-Ethel May Whitehurst, age 19 years, residence, Norfolk County, and occupation, dress maker.

Q-Please state your relationship to Mrs Ballentine who has just testified, as well as, your relationship to Mrs. Fannie Oliver, deceased?
A-Mrs. Ballentine is my aunt, and my mother's sister. My mother was Mattie Whitehurst, who was the daughter of Fannie Oliver, deceased.
Q-I do not personally ~~of~~ my relationship to Thomas W. Hannaford, deceased.
Q-Please state whether you are the Ethel Whitehurst mentioned as a defendant in this suit.

A-I am the same person.

Q-You then are entitled, as you understand, to one half of one share of the trust fund mentioned in this suit?
A-Yes, sir.

Further this deponent saith not.

Signed.

Ethel May Whitehurst

Mrs.M.C.Riddick,being duly sworn,deposes and says,as follows,to wit:-

Q-State your name,age,residence and occupation?

A-Mary Catharine Riddick,age,60,residence,Suffolk,Va.,occupation,housekeeper.
Q-Do you know how many original shares there are in this estate?
A-There are eight original shares.
Please name them?

A-(1) Ann Wilder,mother of Henry H.Wilder,one of the parties to this suit;(2)Mrs.Fannie Oliver, the mother of Mrs.Maggie Ballentine,and grand mother of Miss Ethel Whitehurst;and that said Fannie Oliver was Fannie Cherry,and I understood that she was the niece of Thomas W.Hannaford,deceased;(3)Rev.J.B.Bailey,who was a nephew of Thomas W.Hannaford,deceased,I understood; I understand that Edna Robeson,Bailey Robeson and Benjamin Robeson are entitled to a part of the said estate coming through Rev.J.B.Bailey, and I understand further that J.W.Bailey is also one of the heirs through Rev.J.B.Bailey, but I do not know the relationship of H.B.Bailey to the-parties-Thomas W.Hannaford;(4) J.T.Hannaford,now living in Arkansas,who is entitled to one ful share,that is one eighth; (5)G.H.Hannaford,now living in Bowles,Miss., who is entitled to one full share;(6)Mary Collins who is entitled to one full share;(7) Margaret J.Hannaford,now living in Lewisburg, Miss.,who is entitled to one full share;(8) the heirs of Sarah Cherry,afterwards Sarah Holloway,who died leaving William H.Cherry, Eugene Holloway and Thomas T.Holloway,entitled jointly to one full share.
Margaret J.Hannaford,Mary A.Collins,Sarah Cherry afterwards Sarah Holloway,G.H.Hannaford and J.T.Hannaford are brothers and sisters.I have always understood that Ann Wilder,the mother of Henry H.Wilder ,was a niece of Thomas W. Hannaford,deceased,and that Henry H.Wilder,one of the parties tb this suit is the only heir of said Ann Wilder,deceased,and that said Ann Wilder was living at the time of the death of said Thomas B.Hannaford,deceased.Mrs.Fannie Oliver was living at the time of the death of Mrs.Mary B.Hannaford, ,deceased.Rev.J.B.Bailey was living at the time of the death of Mrs.Mary B.Hannaford,deceased,but that he is now dead.

Q-Please state Mrs.Riddick if you are the daughter of the late John R.Copeland,and if so,whether you took charge of his business generally , and,especially,did you have the supervision of the trust estate mentioned in this suit?

A-Yes,I am the daughter of the late John R. Copeland,and I took charge of his business generally,and I also had charge of the trust fund

mentioned.

Q- Do I understand then that enabled you to speak advisedly as to the legatees under the fifth clause of the last will and testament of Mrs.Mary B.Hannaford,deceased?
A-Yes,so far as I know.
Further this deponent saith not.

Signed- M. C. Riddick

Richard L.Brewer,Sr.,being duly sworn,deposes as follows,to wit:-

Q-State your name,age,residence and occupation-
A-Richard L.Brewer,Sr.,age 72 years,residence Suffolk,Va.,and occupation jeweller.
Q-Please state if you knew any of the brothers and sisters of Thomas W.Hannaford,and if so,how many?
A-I had no knowledge of his brothers and sisters.
Q-Did you know any of his nephews and nieces?
A-Yes.Mrs.Ann Wilder and J.T.Hannaford.I did not know any of the others.
Q- Will you state whether or not they were living at the death of Mrs.Mary B.Hannaford?
A-Yes,both were living at the time.

Further this deponent saith not.

Signed-
R. L. Brewer, Sr.

The further taking of these depositions is continued until June 26, 1900, at the same place and between the same hours.

Lee Britt
Commissioner in Chancery

Pursuant to adjournment the further taking of these depositions is resumed on this 26 day of June I900.

The witness,James W.Bailey,being duly sworn,deposes as follows:-

IQ-State your name,age,residence and occupation-
IA-James W.Bailey;age 42 years;residence,Portsmouth,Va.; occupation,railroading.

2Q-Do you know the parties to this suit?
2A-I know Maggie Ballentine,Charles Ballentine,Henry H. Wilder,H.B.Bailey,Edna Robinson,Bailey Robinson,Ethel Whitehurst and Benjamin Robinson.I do not know the other parties plaintiff as they live in theSouth.

3Q-Please state whether the namesEdna Robinsonand Bailey Robinson should be Edna Robesonnand Bailey Robeson as parties plaintiff to this suit,or not?
3A-The names should be Edna Robeson and Bailey Robeson and they are parties plaintiff to this suit.

4Q-Please state whether the name of Benjamin Robinson should be Benjamin Robeson as a party defendant to this suit-
4A-It should be Benjamin Robeson who is a party defendant to this suit.

5Q-Are you one of the plaintiffs in this suit?
5A-I am,but I wish to say here that no attorney represents me in this cause.I desire the court to protect me in my rights.I have not employed any counsel to represent my interests.

6Q-Please state if you know the names of the brothers and sisters of the decedent,Mrs.Mary B.Hannaford,living at the time of her death-

6A-She died between the 30 day of May I883 and the 22 day of June I883 but I do not know the day.
None of the brothers and sisters of Thomas W.Hannaford were living at the time of Mrs.Mary B.Hannaford's death but there were children of them living at that time.

7QPlease give the names of the children of the brothers and sisters of Thomas W.Hannaford living at the time of said Mrs.Hannaford's death-

7A-Fannie Oliver,Ann Wilderand James B.Bailey are all that I know who were living at the time of Mrs.Hannaford's death.Mr.Joseph Hannaford was a brother of Thomas W.Hannaford but he died before Mrs.Mary B.Hannaford died.He went to the South about I830 so I have heard.He has descendants now living but I do not know whether they are children or grandchildren,and I do not know their names.H.B.Bailey and I are the children of Rev.James B. Bailey mentioned and he died about three years ago in August last.He had a daughter,Margaret Alice Bailey, who married Cad.Robeson,and there were living,at the time of her death in I885,three children,Edna Robeson, James Bailey Robinson andBenjamin RoRobeson,which chil-

dren are now living,amd are the heirs of Margaret Alice Robeson,nee Bailey.Margaret Alice Robeson was my sister. I cannot tell you anything about the heirs of Fannie Oliver.
Mrs.Ann Wilder died about five years ago,long since the death of Mrs.Mary B.Hannaford,leaving one heeir,Hwnry H. Wilder,who is now living in Norfolk,Va.She-was-the-sister-of-TMrs.Wilder's mother was the sister of Thomas W. Hannaford.Her mother died before the death of Thomas W. Hannaford or Mrs.Mary B.Hannaford.

Further this deponent saith not.

Signed, J.W.Bailey

Pursuant to adjournment the further taking of these depositions is resumed on this 23 Day of July 1900.—

The witness ,J.W.Bailey,being duly sworn,deposes as follows :-

IQ-Are you the same J.W.Bailey who testified in this cause on the 26 day of June I900?

IA-I am.

2Q-Please state when your father,Rev.J.B.Bailey died?

2A-In August I896.

Did you mother survive him,and if so,is she living at this time?

3A-She survived him and is living at this time.Her name is Margaret G.Bailey.She is now 65 years old.

4Q-Did Cad Robeson,the husband of your sister ,Margaret Alice Robeson,who died in I885,survive her,and if so,is he living at this time?

4A-He survived her abd is living at this time.

5Q-Is the father of Henry H.Wilder now living?

5A-No sir.

6Q-Is the father of Maggie Ballentine now living?

6A-No,her father and mother are both dead.

7Q-Are the mother and father of Ethel Whitehurst now living,and if not,when did they die?

Her mother has been dead for a number of years,but her father,William Whitehurst,is now living.

Futher this deponet saith not.

Signed- J. W. Bailey

1500 Sept. 20th, 1900
Atlanta, Georgia

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

The answer of M. C. Riddick, executrix of John R. Copeland, trustee, under the last will and testament of Mary B. Hannaford, deceased, to a bill in equity exhibited against her and others in the Circuit Court of the County of Nansemond, by Maggie Ballentine and others. This defendant reserving to herself the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof, as she is advised, it is material for her to answer, answers and says: That it is true that Mary B. Hannaford by her last will and testament bequeathed to John R. Copeland, trustee, the sum of $4000.00 to be held by him in trust for the use and benefit of Almira Hannaford, for and during her life, and with directions that at her death the principal of said sum should be divided, as alleged by said complainants, and as set forth in the fifth clause of the will of Mary B. Hannaford, deceased, filed as an exhibit with said bill; that it is true the said John R. Copeland accepted said trust and acted as such trustee, and paid to Almira Hannaford, the interest on said fund, quarterly, as directed by said will. It is also true that the said John R. Copeland, trustee, has departed this life and that since his death this defendant, as the executrix of his last will and testament, has discharged the duties of said trust, being unable to get anyone elst to accept the same; that she has paid the said Almira Hannaford the interest on the said sum as directed by the said will, and that she now has in hand the principal of said sum, with some interest which has accrued since the death of Almira Hannaford; that it is true that the said Almira Hannaford has departed this life as stated in said complainants' bill, and that the said fund is now ready to be distributed among the parties who are entitled thereto. So far as this defendant knows, the said complainants, together with the two infant defendants, may be the parties who are entitled to share in the distribution of said funds, but of this she is not certain, calls for proof thereof, and asks the guidance and direction of the Court in the distri-

bution of said fund. This defendant further says that some dispute has arisen, so this defendant is informed, as to the parties who are entitled to share in the distribution of this fund, and also as to the respective amounts to which the said several parties are entitled; and for that reason, that this defendant, for her protection, desired that the said fund might be distributed under the guidance and direction of the Court, and She has refused to distribute the said fund, as alleged in the complainants' bill, until it might be fully ascertained by this Court who are the partied to receive said fund, and the respective amounts to which they are so entitled.

This defendant now joins in the prayers of the said bill and asks the Court that the accounts prayed to be taken therein may be taken by one of the commissioners of this Court, and that she may distribute the money which she now has in hand, and which she is ready to distribute, underthe Court's direction.

This defendant further says that she has received [redacted] no compensation for discharging the duties of the said trust, and requests and asks the Court that proper compensation may be allowed to her and also for the services of the Attorney who represents her in this cause.

And now, having fully answered, this defendant prays that she may be hence dismissed with her reasonable costs and charges in this behalf expended.

E. E. Stream p.q.

M. C. Riddick Ex'x &c
By E. E. Horsford, her Atty

Ballan Tire & ors

v/s

Ruddock & ors

Affidavit of M.L.
Buckle Esq. J.P.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

The answer of Ether Whitehurst and Benjamin Robinson, by R. H. Rawles their guardian ad litem, and the answer of the said R. H. Rawles, guardian ad litem, to a bill exhibited against them and others in the Circuit Court of Nansemond County, by Maggie Ballentine and others. For answer to the said bill the said guardian ad litem answers and says: that he does not know whether the interests of the infant defendants would be promoted by a sale of the property, as prayed for in the said bill, or not; and the said infant defendants by their said guardian ad litem, answer and say, that being infants of tender years they know nothing of the matters mentioned in the bill and commit the protection of their interests to the Court. And now having answered they pray, &c.

R H. Rawles.

Guardian ad litem to Ether Whitehurst and Benjamin Robinson, infant defendants, and the said Ether Whitehurst and Benjamin Robinson by said R. H. Rawles, their guardian ad litem.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

TO THE HON. ROBERT R. PRENTIS, JUDGE OF SAID COURT.

Your complainants, Maggie Ballentine, and Charles Ballentine, her husband, Henry H. Wilder, J. W. Bailey, H. B. Bailey, Edna Robinson, Bailey Robinson, William H. Sherry, Eugene Holloway, Thomas T. Holloway, James T. Hannaford, G. H. Hannaford, Mary A. Collins and Margaret J. Hannaford, humbly complaining show unto the court the following case: That sometime in the year 1883 Mary B. Hannaford departed this life, leaving will, in which, among other bequests, she bequeathed, by the 5th item thereof, to Almira Hannaford, the interest on the sum of $4000.00, to be held in trust by John R. Copeland, trustee therein named, with authority to appoint a trustee to act in his place and stead, for and during her natural life, payable quarterly, and at her death the principal of said sum of $4000.00 should pass and be equally divided between the children of the brothers and sisters of her late husband, Thomas W. Hannaford, who were living at the time of her death, share and share alike. A copy of said will of said Mary B. Hannaford, marked "Exhibit A", is herewith filed, and prayed to be read as a part of this bill; that pursuant to the provisions of the said will the said John R. Copeland, trustee, received the said money from the executor of the last will and testament of the said Mary B. Hannaford, and acted as such until his death, paying to the said Almira Hannaford, quarterly, as provided in said will, the interest on said sum; that after the death of the said John R. Copeland, trustee, M. C. Riddick, executrix of his last will and testament, has acted as such trustee, paying to the said Almira Hannaford the interest on said fund, quarterly, and now holds the principal of said sum bequeathed as aforesaid; that sometime in the month of January, 1900, the said Almira Hannaford departed this life, and that the said trust fund is now in her hands for distribution according to the terms and provisions of the said will; that your complainants, together with Ethel Whitehurst and Benjamin Robinson, are believed to be the distributees of the said fund, and

as such, entitled to share therein; that some question has arisen between your complainants, and the said M. C. Riddick, executrix of John R. Copeland, trustee, as to the proper distribution of the fund, especially as to the amounts which the said parties are entitled to receive; and that the said M. C. Riddick, executrix of John R. Copeland, trustee, has refused to distribute said money until the proper parties entitled to receive the same have been ascertained, and the proper amounts to which they are entitled, and asks that the same be distributed under the guidance and direction of this Court.

In tender consideration whereof, and for as much as your complainants are remediless, in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizible, your complainants pray that M. C. Riddick, executrix of John R. Copeland, trustee, under the last will and testament of Mary B. Hannaford, deceased, Ethel Whitehurst and Benjamin Robinson, in their own right, the last two being infants under the age of twenty-one years, may be made parties defendant to this bill, and required to answer the same, but answers under oath are waived; that a proper guardian ad litem be assigned the infant defendants to defend their interests in this suit; that one of the commissioners of this Court may be directed to take an account of the amount of the trust fund aforesaid now in the hands of the said M. C. Riddick, executrix of John R. Copeland, trustee, as aforesaid, subject to distribution among the heirs and distributees of the brothers and sisters of the said Thomas W. Hannaford, who are entitled to share in the distribution of the said fund under the fifth clause of the last will and testament of the said Mary B. Hannaford; that ~~they~~ said Commissioner may also be required to state specifically who are the heirs and distributees of the brothers and sisters of the said Thomas W. Hannaford, deceased, living at the time of the said Mary B. Hannaford's death, their degree of relationship and the distributive share of each one of the parties entitled to share therein; that the said commissioner may have authority to take such evidence as he may deem

necessary to ascertain, the names of the parties interested and the amounts to which they are entitled; that the said trust fund may be distributed among the parties entitled thereto according to their respective interests; that proper process issue; that all proper decrees may be made, and inquiries directed, and that all such other, farther, and general relief may be afforded your complainants as the nature of their case may require or to equity shall seem meet.

And your complainants will ever pray, &c.

L. N. Griffin
Sol

Maggie Ballentine & others
Vs In Chancery
M C Riddick Executrix & others

1900 March 16th. Process issued returnable to March Rules third Monday

" " 19th. Process Returned executed on all Defendants

" " " Bill filed and decree Nisi vs said defendants Guardian ad litem appointed for infant defendants

" April 2nd Decree Nisi Confirmed and Cause set for hearing

R Griffin p.q.

Maggie Ballentine &others

vs. In Chancery

M C Riddick Ex. &c

Costs
clerk - 8.27
Jay 1.50
Shff .50
Atty 15.00
Comr 50.00
$75.27