

1910-13

Southampton County Chancery - Kellam, H. K. vs Kellam, W. L. et al

Sues to have Ernest L. Beale, guardian  
to be appointed a substitute trustee  
in the place of Mary E. Kellam, deceased,  
to distribute the funds of this insurance  
policy -

Minors { Kellam, Ethel M.  
" , Lillian P.  
" , Leonard T.  
" , Norris Franklin

Edwards, Claude J.  
(G. A. L.)

Kellam, A. H.  
v.  
Kellam et als. Infants. }

Petition -  
1908. 1<sup>st</sup> Oct. Rules

In the Circuit Court of Southampton County:

Kellam, H.W. v. Kellam et als. Infants.

To the Honorable James L. McLemore Judge of the Circuit Court of  
Southampton County, Virginia, Sitting as Chancellor:

Your orator, H. W. Kellam, of the said County of Southampton, humbly complaining, sheweth to your honor:

That his father, H. W. Kellam, Sr., late of the same County, on or about the 21st day of August, in the year 1908, departed this life, leaving six children, to-wit: your orator, and W. Leroy, Ethel M., Lillian P., Lenard T., Norris Franklin, then and now infants under the age of twenty-one years, him surviving.

The said H. W. Kellam, Sr., in his life time, to-wit: on or about the 17th day of March, in the year 1902, took out a policy of insurance on his life, to-wit Number 206 647, in the Penn Mutual Life Insurance Company of Philadelphia, for Three Thousand Dollars, a copy of which is herewith attached marked "Exhibit A" and made a part of this petition.

"EXHIBIT A"  
THE PENN MUTUAL LIFE INSURANCE  
COMPANY OF PHILADELPHIA.

In consideration of the Application for this Policy, hereby made a part of this contract, The Penn Mutual Life Insurance Company of Philadelphia insures the life of ----Henry W. Kellam----of Franklin, in the County of Southampton, State of Virginia, in the sum of Three Thousand Dollars, and promises to pay at its Home Office, in the City of Philadelphia, unto Mary E. Kellam, his wife in trust for herself and their children in equal shares, their executors, administrators or assigns the said sum insured, upon receipt of satisfactory proof of the death of the insured, during the continuance in force of this Policy, upon the following conditions, namely:

The payment in advance to the company, at its Home Office of the sum of Sixty One 65/100 Dollars, at the date hereof, and of the Semi-annual premium of Sixty One 65/100 Dollars, at or before three o'clock P. M., on the Seventeenth day of March and September in every year during the life of the

insured, or until twenty full years' premiums shall have been paid:

The extended insurance, paid-up insurance, and loan or cash surrender value privileges, benefits, conditions and provisions stated on the second page hereof form a part of this contract as fully as if recited at length over the signatures hereto affixed. ( With power to the insured, provided said Trustee if living, consents thereto, to surrender this policy to said Company at any time.)

In Witness Whereof, THE PENN MUTUAL LIFE INSURANCE COMPANY of Philadelphia has caused this Policy to be signed by its President, Secetary, and Actuary, attested by its Registrar, at its Home Office, in Philadelphia, Pennsylvania, the Seventeenth day of March 1902.

Attest: Henry C. Brown Secretary. Harry F. West President.  
A. G. Greene Registrar. Jesse J. Barker Actuary.

During the life time of the said H. W. Kellam, Sr., to-wit: on or about the 7th day of June, in the year 1902, Mary E. Kellam, his wife and the above named trustee, departed this life. Owing to the death of Mary E. Kellam, trustee and beneficiary, the Penn Mutual Life Insurance Company of Philadelphia requires a new trustee to be appointed in her place to distribute the funds in this case, which is herewith shown by a letter from the Penn Mutual Life Insurance Company of Philadelphia to its agent, L. L. Manry, a copy of which is herewith attached marked "Exhibit B" and made a part of this petition.

"Exhibit B".

THE PENN MUTUAL LIFE INSURANCE COMPANY  
PHILADELPHIA.

CUNNINGHAM HALL, General Agent  
Mutual Building

Richmond, Va., September 2, 1908.

Mr. L. L. Manry,  
Courtland, Va.,

Re. 206647 Kellam.

Dear Sir,-

In response to your inquiry of the 29th ult., I beg to state that the Company advises me that due to the death of Mary E. Kellam, trustee and beneficiary, it will be necessary for the court to appoint a new trustee to distribute the funds in this case.

THE PENN MUTUAL LIFE INSURANCE COMPANY

The claimants' certificate in the claim papers should be completed by the substituted trustee, and a certificate showing the appointment should accompany the completed proofs, when they are forwarded to this office. Kindly give this matter your prompt attention, and oblige.

Yours very truly,

C. Hall

GWD/KRS.

Gen.Agt.

Forasmuch, therefore, as the Penn Mutual Life Insurance Company of Philadelphia requires a new trustee to be appointed to distribute the funds due in this case to the proper parties, and as your orator is remediless, save in a Court of Chancery, where matters of this sort are properly cognizable, your orator prays that Ernest L. Beale, guardian of the above mentioned infants to-wit: W. Leroy, Ethel M., Lillian P., Lenard T. and Norris Franklin, and one of the administrators of the said H. W. Kellam, Sr., may be appointed substituted trustee in the place and stead of Mary E. Kellam, deceased, to distribute the funds in this case.

And your orator further prays that a guardian ad litem may be assigned by the Court to the infant defendants W. Leroy, Ethel M., Lillian P., Lenard T., and Norris Franklin, in order to defend them in this suit. And that such further and other relief may be granted to your orator as is adapted to the nature of his case, and agreeable to equity and good conscience. And may a summons issue against the several defendants hereinbefore named, etc. And your orator will ever pray, etc.

E. L. Beale - pq

H. W. Kellam

Virginia:

Southampton County, to-wit:

This day H. W. Kellam appeared in person before me R. B. J.  
Notary Public in and for the county and state aforesaid, and made oath that the matters in the foregoing petition stated as of his own knowledge are true, and those stated upon the information of others he believes to be true.

Given under my hand this 5 day of Oct, in the year 1908.

My Commission expires April 29th 1909

R. B. J. Notary Public

*Exhibit B.*

THE PENN MUTUAL LIFE INSURANCE COMPANY  
PHILADELPHIA

CUNNINGHAM HALL, General Agent  
Mutual Building

RICHMOND, VA. September 2, 1908.

Mr. L. L. Manry,

Courtland, Va.

Re. 206647-Kellam.

Dear Sir:-

In response to your inquiry of the 29th ult., I beg to state that the Company advises me that due to the death of Mary E. Kellam, trustee and beneficiary, it will be necessary for the court to appoint a new trustee in her place to distribute the funds in this case.

The claimants' certificate in the claim papers should be completed by the substitute trustee, and a certificate showing the appointment should accompany the completed proofs, when they are forwarded to this office. Kindly give this matter your prompt attention, and oblige,

Yours very truly,

*Chas*

GWD/KRS.

Gen. Agt.

Kellam

Tr } Stat. Rules

Kellam Et. Als.

N. H. Kellam -

Pliff

Against

W. L. Kellam, Ethel M. Kellam,

Lillian P. Kellam, Leonard T. Kellam

and Norris Franklin Kellam - all

infants under twenty one years of age,

by Claude J. Edwards, their Guardian

ad litem.

Defds.

1908. Sept 25<sup>th</sup> Process issued to 1<sup>st</sup> Oct: Rules -

" 1<sup>st</sup> Oct Rules: Process returned Executed  
on Claude J. Edwards, Gdn -  
ad litem.

Bill and Exhibits filed.

1908. 2<sup>nd</sup> Oct: Rules: Cause set for hearing -

The separate answers of W. Leroy, Ethel M.,  
Lillian P., Leonard J., and Norris Franklin infants  
under the age of 21 years, by R. E. L. Watkins  
their guardian ad litem appointed to defend  
them in this suit to a bill of petitioner  
filed against them in the Circuit  
Court of Southampton County Virginia  
by H. H. Kellam petitioner.

These respondents reserving to themselves  
the benefit of all just exceptions to the  
said bill of petitioner, for answer thereto,  
or to so much thereof as they are ad-  
vised that it is material that they  
should answer, by their said guardian  
ad litem answer and say:

That they are infants of tender years  
and that by means of their infancy  
are meagre of understanding or by taking  
care of their rights and interests herein,  
and that they therefore commend themselves  
their rights and interests to the protection  
of the court and pray that no decree  
may be entered that will tend to their  
prejudice. And now having fully  
answered the petitioner's bill these  
respondents pray to be hence dismissed  
with with their reasonable costs by  
them in their behalf expended.

R. E. L. Watkins  
Guardian ad litem for  
H. L. Kellam  
Ethel M. Kellam  
Lillian P. Kellam  
Leonard J. Kellam  
Norris F. Kellam

1st

Entr. Octo. 19. 1908  
James S. McInnis

Entered in C. O. B.

Page # 477

In the Circuit Court of Southampton County Virginia  
(Kellam, A.M.)

<sup>St. Leroy</sup>  
Kellam, H. Leroy, Ethel M., Lillian P., Lewis D.,  
and Norris Franklin, <sup>Kellam</sup> Infants

This day <sup>this cause came on</sup> ~~was read~~ the above cause to be  
on the Complainant's bill and exhibits therewith filed  
read, and the court doth order and adjudge  
that the order appointing Claude J. Edwards  
guardian ad litem be vacated and annulled,  
and it is hereby ordered and adjudged  
that R. E. L. Watkins, be and is hereby ap-  
pointed to defend <sup>the interest of</sup> the infants as  
guardian ad litem in the above men-  
tioned cause, thereupon the said R. E. L. Watkins  
filed his answer as such infant defendants as  
guardian ad litem for the said infant H. Leroy,  
Ethel M., Lillian P., Lewis D. and Norris D. Kellam,  
defendants in this cause. To which answer the complainant  
replied generally.

But before the said Trustee shall proceed to act hereunder  
he shall execute a bond before the Clerk of this court in the  
penalty of \$4,500.00, with approved security and conditioned to faith-  
fully discharge the duties imposed <sup>on the Trustee in the afore said policy</sup> ~~under the will of the de-~~  
ceased <sup>of number No. 204647 on the life of said</sup> ~~Cedrick H.W. Kellam Sr~~ and any and all duties imposed by  
this or any future decree to be entered hereon. And he  
will report to court.

12/10/19  
Decree of Kellam H.W.  
v  
Kellam et al. Defendants

Enter, October 14, 1908  
John L. McInnis

Entered C. D. B.

Page # 478  
Revised - D. B. # 53  
Page # 204-

In the Circuit Court of Southampton County, Virginia.

H. W. Kellam, Plaintiff

v.

W. Leroy Kellam, Ethel M. Kellam, Lillian P.

Defendants.)

Kellam, Lenard T. Kellam and N. Franklin Kellam, *infants*  
*and R. E. L. Watkins guardian ad litem for said infant defendants*

This day came the plaintiff, by counsel, and moved the court to appoint Ernest L. Beale of the county of Southampton, Virginia, as trustee in the place and stead of Mary E. Kellam, deceased, who was trustee in a certain policy of insurance on the life of H. W. Kellam, deceased, to-wit: policy number 206 647 in the Penn Mutual Life Insurance Company of Philadelphia, for Three Thousand Dollars. And this day came also the said W. Leroy Kellam, Ethel M. Kellam, Lillian P. Kellam, Lenard T. Kellam and N. Franklin Kellam, ~~by counsel~~ *R. E. L. Watkins*, guardian ad litem.

On consideration whereof, it appearing to the court that the parties hereto are the only persons interested in the execution of the trusts of the aforesaid policy of life insurance, and that the said Mary E. Kellam, the sole trustee in the said policy of life insurance, is dead, and that reasonable notice of this motion has been given to each of the parties hereto, except the plaintiff, the court doth adjudge, order, and decree that the said Ernest L. Beale be, and he is hereby, appointed and substituted as trustee in the policy of life insurance <sup>the said</sup> hereinbefore mentioned, in the place and stead of Mary E. Kellam, to act thereunder and in accordance with the terms thereof, and with all the powers, rights and privileges, and liable to all the duties and obligations, of trustee, as conferred or imposed by the said policy of life insurance. ~~And by consent of all parties, by counsel, no bond or security is required of the said Ernest L. Beale as such substituted trustee.~~

And it is further ordered that the clerk of this court do record a copy of this order in the current deed book in his office, and index the same in the names of the parties hereto, and in the name of the said Ernest L. Beale, and that he place the papers in this matter among the ended causes of this court, and enter the same on the index of ended causes.

# FIRE, LIFE AND ACCIDENT INSURANCE

Assets Represented, \$84,943,092

FRANKLIN, VA.,

DEC 1. 1908 190

M E. L. Brice Trustee J. B. Kellam Est.

TO L. L. MANRY, Agent, DR.

| MONTH | DATE | NUMBER OF POLICY | NUMBER OF RENEWAL | NAME OF COMPANY    | KIND OF PROPERTY INSURED | AMOUNT INSURED | PREMIUM |
|-------|------|------------------|-------------------|--------------------|--------------------------|----------------|---------|
| Nov   | 16   | —                |                   | American Surety Co | Bond                     |                | 13.50   |
|       |      |                  |                   | Paid               | Dec 10/08                |                |         |
|       |      |                  |                   |                    | W. D. Manry              |                |         |

NO. 129

## THE PENN MUTUAL LIFE INSURANCE COMPANY

921, 923. & 925 CHESTNUT STREET, PHILADELPHIA

(DUPLICATE).

6 MONTHS PREMIUM \$ 61.65

INTEREST ON NOTE \$ ✓

TOTAL \$ ✓

1/2 SURPLUS 190.8 \$ ✓

CASH REQUIRED \$ 61.65

RECEIVED AS PER MARGIN, PREMIUM ON POLICY NO. 206647

INSURING THE LIFE OF Henry W. Kellam

CONTINUING SAID POLICY IN FORCE, SUBJECT TO ITS TERMS, FOR 6 MONTHS

FROM THE 17th DAY OF September 1908.

THIS RECEIPT TO BE VALID MUST BE COUNTERSIGNED BY

Gunningham Hall,

AGENT.

Richmond, Va.

John Humphreys

SECY & TREAS

PREMIUM AS ABOVE RECEIVED THIS

23rd DAY OF November 1908.

Gunningham Hall  
AGENT

W. D. Manry  
auditor

FRANKLIN, VA Dec 1 1908 No.

VAUCHAN & COMPANY BANKERS

PAY TO THE ORDER OF

E. L. Beale, Guardian \$ 2100<sup>00</sup>

Twenty One Thousand <sup>100</sup> DOLLARS

E. L. Beale, Trustee

YOUNG & SELDEN CO. BALTO.

FRANKLIN, VA DEC 18 1908 190 No.

VAUCHAN & COMPANY BANKERS

PAY TO THE ORDER OF

E. L. Beale, Guardian \$ 171<sup>75</sup>

One Hundred Seventy <sup>100</sup> DOLLARS

E. L. Beale, Trustee

YOUNG & SELDEN CO. BALTO.

FRANKLIN, VA Dec 24 1908 No.

VAUCHAN & COMPANY BANKERS

PAY TO THE ORDER OF

E. L. Beale, Guardian \$ 62<sup>09</sup>

Sixty Two <sup>100</sup> DOLLARS

E. L. Beale, Trustee

YOUNG & SELDEN CO. BALTO.

FRANKLIN, VA DEC 18 1908 190 No.

VAUCHAN & COMPANY BANKERS

PAY TO THE ORDER OF

E. F. Story \$ 5<sup>00</sup>

Five <sup>100</sup> DOLLARS

E. L. Beale, Trustee

YOUNG & SELDEN CO. BALTO.

# WELDON HOTEL,

C. D. CHERRY, PROPRIETOR.

Weldon, N. C. July 10 1909

Mr E. L. Beale

Franklin, Va.

Dear Sir

I am in Weldon and am  
strapped, So if you will be  
so kind as to send me  
on <sup>4 to 5</sup> five Dollars I will  
thank you very kindly.

Do not fail to send it  
at once.

Do not send check  
as I can not cashed, that  
is what is the matter

Yours Resp  
H. W. Kilham

FRANKLIN, VA. July 26<sup>th</sup> 1909 No.

**VAUGHAN & COMPANY BANKERS**

PAY TO THE ORDER OF H. W. Kellam **PAID** JUL 27 1909 \$ 63.68

Sixty Three & 68/100 DOLLARS

For balance in hand due him

E. L. Beale, Trustee.

YOUNG & SELDEN CO. BALTO.

FRANKLIN, VA. Jan'y 12 1909 No.

**VAUGHAN & COMPANY BANKERS**

PAY TO THE ORDER OF H. W. Kellam of Beale & Co. Bankers \$ 366.76

Three Hundred Sixty Six & 76/100 DOLLARS

For Deposit to his Credit

E. L. Beale Trustee

YOUNG & SELDEN CO. BALTO. Interest Acc't

FRANKLIN, VA. March 17 1909 No.

**VAUGHAN & COMPANY BANKERS**

PAY TO THE ORDER OF Cash **PAID** 17 1909 \$ 31.32

Thirty One & 32/100 DOLLARS

Amount due by H. W. Kellam to G. A. Scott and paid to P. L. Watkins

E. L. Beale Trustee

Franklin, Va. July 10<sup>th</sup> 1909 No. 114

**VAUGHAN & COMPANY BANKERS**

Pay to the order of H. W. Kellam \$ 5.00

Five & 00/100 Dollars

For

E. L. Beale, Atty

YOUNG & SELDEN CO. BALTO.

ERNEST L. BEALE,  
ATTORNEY-AT-LAW.

January 29th., 1909.

Mr. H. W. Kellam,

Rosemary, N. C.,

Dear Ward,-

If you have about \$ 300.00 or \$ 400.00 that you would care to lend out for about twelve months or more I can place it for you, and get a first mortgage for you on a farm that is worth at least \$ 2500.00 or \$ 3000.00

I would consider this a first class investment, and A No.1 security. The farm is in Isle of Wight County near Careville, and if you can lend that much, kindly send me your check for it and I will have the deed of trust executed and recorded for you so that you will get a net interest of 6 %.

I still have \$ 100.00 for you, and have expected to have a letter from you stating what disposition I should make of it- whether to put it in bank for you, or to send you check for same. I have also expected to hear from you in regard to the money you owe to C. P. Scott. He told me that the amount is something like \$ 32.00

Please let me hear from you in regard to that at once, either send me your check for what you owe him or tell me to deduct the amount from the \$ 100.00 I have for you. I am anxious to get the matter closed up. I suppose that you have Scott's bill for the amount you owe him. With best wishes and kindest regards. I am,

Yours very truly,

July 27th., 1909.

Mr. H. W. Kellam,

Franklin, Va.,

My dear Ward:-

I herewith enclose deposit slip on Vaughan & Co., Bankers, showing that there has been deposited to your credit at their bank the sum of \$ 63.68

That includes all that I have in hand for you, and is a final settlement with you of the funds in my hands as Trustee for your share of the money on the life of your father in the Penn Mutual Life Insurance Company.

I would have sent the check direct to you, but you asked me to deposit the amount to your credit, and I have done so, and herewith hand you receipt from the bank for same.

Yours very truly,

Rosemary, N.C. 2/12<sup>th</sup> 1909

Mr E. L. Beale

Franklin, Va.

Dear Sir:-

I received your letter in regard to the bill I owe Mr L. P. Scott some time back and will try to endeavor to answer same to-night.

I wrote to you some time ago but found my letter in the box on the Locomotive a few days back.

I will be in Franklin at an early date and will talk the matter over with you.

Hoping you much success, I remain

Yours Respectfully  
H. W. Pellam

Franklin, Va. 2/14/09

Mr E. L. Beale

City.

Dear Sir:

I have written a letter to Mr R. E. L. Watkins in answer to a letter from Mr L. P. Scott in regard to his account. I thought as you said that he owed you an account that I would give you a chance to collect same so out of the amount you have of mine you can pay the bill to Mr Watkins.

Yours very truly  
J. H. Williams

MAR 17 1909

Received of E. S. Beale, Attorney, Thirty one  
32/100 dollars, as payment in full of the ac of  
H. W. Kellom, due G. P. Scott.

R. H. Munn  
for G. P. Scott

STATEMENT OF ACCOUNT OF E. L. BEALE, TRUSTEE: KELLAM v KELLAM.

Amount collected from The Penn Mutual Life Ins Co \$ 3000.00

Cr.

|                                                |                |             |
|------------------------------------------------|----------------|-------------|
| Amount paid Notary for taking acknowledgements | \$ .50         | <i>Pd</i>   |
| " " Semi-Annual premium                        | 61.65          | <i>Pd</i> ✓ |
| " " to have trustee appointed                  | 25.00          | <i>Pd</i> ✓ |
| " " tax fee to summon guardian ad litem        | 1.50           | <i>Pd</i> ✓ |
| " " for stamp Seal of Court                    | 1.00           | <i>Pd</i> ✓ |
| " " " bond ( L. L. Manry )                     | 13.50          | <i>Pd</i> ✓ |
| " " " Clerk's Fees etc.,                       | 15.00          | <i>Pd</i> ✓ |
| " " H. W. Kellam, heir 1/6 of amount           | 466.76         | <i>Pd</i>   |
| " " E. L. Beale, Guardian 5/6 "                | 2333.84        | <i>Pd</i> ✓ |
| " " Clerk for recording account                | 1.25           | <i>Pd</i>   |
| " " Commissioner of Accounts                   | 5.00           | <i>Pd</i> ✓ |
| " " Trustee, <i>2 1/2</i> % Commission         | 75.00          | <i>Pd</i>   |
|                                                | <u>3000.00</u> |             |

Respectfully submitted,

December 24th. 1908.

May 24th., 1910.

American Surety Co.,

Washington, D. C.,

Dear Sirs:-

I beg to acknowledge receipt of your letter of the 23rd inst.

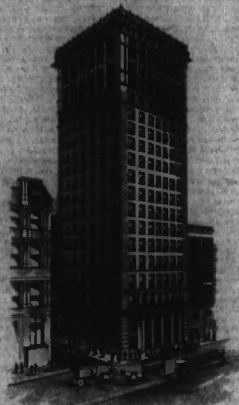
When I applied to your agent, Mr. L. L. Manry, for the bond of \$4500.00 as Trustee in the Kellam Matter, I stated that I wished it only for a short term, and for that reason he was able to get the bond for me for a premium of \$13.50, I think it was for only 60 days, as the money was to be turned over to the guardian of the Kellam children.

On December 24th., 1908, I made up my account and filed same with the Commissioner of Accounts as required by law, a copy of which account I have in my office, and if the final account was not filed with the Clerk of our Court until March 4th 1910, it was the fault of our Commissioner of Accounts, Mr. E. Frank Story.

Mr. Manry has called my attention to the fact that you were holding me responsible for the extra premium, but as I had filed my account as required, and there being no exception to same, I did not feel that it was a matter for my attention, but a matter between your agent and the Commissioner of Accounts.

I understand that the liability perhaps continues, but do not feel that in this case I am at fault. I will be glad for you to take the matter up with Mr. Story to be sure that my account was filed as stated.

Yours very truly,



*Home Office Building*

# American Surety Company

*H. D. Lyman, President of New York.*

## LOCAL BOARD.

E. SOUTHARD PARKER, RES. VICE PRES.  
MAJOR GENERAL CHAS. F. HUMPHREY, U. S. A. RETIRED.  
REAR ADMIRAL H. T. B. HARRIS, U. S. N. RETIRED.  
JAMES L. PARSONS.

MCKENNEY AND FLANNERY, COUNSEL.

H. J. FINLEY, ATTORNEY IN CHARGE  
MAIL ROUTE DEPARTMENT.

L. BERT NYE, ASST. MANAGER.

H. E. WESCOTT, MANAGER FOR  
DISTRICT OF COLUMBIA, VIRGINIA AND NORTH CAROLINA.

OFFICE, METROPOLITAN BANK BUILDING.  
(OPPOSITE UNITED STATES TREASURY.)  
TELEPHONE MAIN 614.

WASHINGTON, D. C.

May 23, 1910.

L B N

301932

Mr. Ernest L. Beale, Attorney-at-Law,

Franklin, Va.

Dear Sir:-

On November 16, 1908 this company executed this bond of \$4,500.00 on your behalf as Trustee of H. W. Kellam. The renewal premium of \$13.50 due November 16, 1909 on this bond is still outstanding and unpaid.

Upon inquiry of the Clerk of the Circuit Court at Franklin we were informed that your final account as Trustee was filed on March 4, 1910, but the final decree dismissing the case and approving the final account has not as yet been entered. Of course, the liability under our bond continues until your final account is approved and passed and you are discharged from your trust.

I accordingly ask that you give this matter your immediate attention and when your final account has been approved and you are discharged, we will take up with you the question of prorata premium due this company for the actual period that the bond was in force.

Yours truly,

H. E. Wescott, Manager,

By

*H. E. Wescott*  
Asst. Manager

R.B.L.

ERNEST L. BEALE,  
ATTORNEY-AT-LAW,  
FRANKLIN, VIRGINIA.

Oct 3rd., 1908.

Mr. B. F. McLemore, Clerk,  
Courtland, Va.,

Dear Sir,-

I herewith enclose petition that is to be filed by  
Oct 1st. Rules, In Re: Kellam, H. W. v. Kellam et als., infants.  
I am not sending the Insurance Policy mentioned in the petition  
but will have same there Court Day.

Please have R. E. L. Watkins appointed guardian ad litem.

Yours very truly,

*Ernest L. Beale.*

Kellam  
 $\frac{2}{4}$  } Costs  
Kellam St. Als

Kellam

5

} Statement. Costs.

Kellam's Infants, et: als

1908

Sept. 25

Sum. 25 Cop 13.

Rest. 18 Atty 10 - Doc 18. Rules 1.00

Enter return 35. filing fees 15

Filing Petition 15. 2 Decrees. 72

Recording decree in Aud Book 1.25

Taking & recording Bond 1.45

Tax Costs. 40. Filing away papers. 25

Clerk \$6.56

Sheriff: 1.50

Lawr. 16.50

Kellam

4 { Spia in Chy

Kellam et. al.:

1908 Oct. 1. Reg. No.

Ex. Intea. This 28 Day

Sept. 1908. By delivery

a true copy of the

with in Commission

to Claud J. Edwards

Guardian ad.

Litum.

Jos. de Turner Sheriff

By J. de Turner, Deputy.

# The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon *W. L. Kellam, Ethel M. Kellam, Lillian F. Kellam, Len and J. Kellam and Norris Franklin Kellam* all infants, under 21 years of age, by *Claude J. Edwards* their Guardian and litigant.

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the *1<sup>st</sup>* Monday in *October 1908* to answer a Bill in Chancery exhibited against *them* in our said Court by *H. W. Kellam*

And this *They* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse this *25<sup>th</sup>* day of *September*, 19*08*, in the *133<sup>rd</sup>* year of the Commonwealth.

Teste: *B. F. McLemore* C. C.

-1910-

Kellam,

v. Final Decree.

Kellam.

1910. July 18th

Enter this C.O.B.

Miss L. W. Moore

ENTERED - C.O.B.

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ERNEST L. BEALE  
ATTORNEY AND COUNSELLOR AT LAW  
FRANKLIN, VIRGINIA

In the Circuit Court of Southampton County:

Kellam

v. ) Final Decree.

Kellam.

This cause came on again to be heard, <sup>on the papers formerly made and upon the report</sup> a copy of the receipts and expenditures of E. L. Beale, who was appointed substituted trustee in the place and stead of Mary E. Kellam, Deceased, <sup>this day filed and which has also</sup> having been filed with the Commissioner of Accounts as required by law, and to

which there is no exception, <sup>and was argued by counsel</sup> ~~on consideration whereof~~

It appearing to the Court that there is nothing further to be done in the matter, the Court doth confirm said report, and order that the Clerk of this Court record this decree in the Chancery Order Book of this Court and file the said petition together with this and all previous orders in the proper place in the said office for the filing of causes removed from the docket, and that this cause be removed from the docket of this Court.