

1857-004

Chancery Causes. Thomas Hall, comt of Maria Whitfield vs Senius B. Edwards, admr
Isle of Wight County

of Allen Edwards

To the Worshipful Court of Isle of Wight County -
in Chancery sitting - Complaining, shew unto
the Court Your Complainant Thomas Hall
Sheriff of said County & Committee of the Estate
of Maria Whitfield deceased -

Your Complainant respectfully represents and
shews unto the Court, That said Maria
Whitfield departed this life, in said County
on or about the day of Intestate,
and that one Allen Edwards of said County
qualified as her administrator in the County
Court of said County on the 1st day of March
~~1832~~ as appears by a copy of the order of Court
granting such administration, filed herewith
& marked (A.) - That said Allen Edwards
as such administrator took charge of the
estate of said Maria Whitfield, which con-
sisted of some small Chatter estate and
bonds & money, amounting to seven or
Eight hundred dollars at least -
That said Allen Edwards was indebted to
her, himself some six or seven hundred
dollars, and that the said Allen
Edwards has never returned any inventory
of said Estate, that never had any account
of his transactions as such administrator
made out & returned to Court as by Law
he was required to do -

That said Allen Edwards has since his
said qualification, to wit: on or about
the day of Feb. 1836, died, in said County
Intestate & Lewis B. Edwards has duly
qualified in said Court as his adminis-
trator - to wit: on the 3^d day of March 1832 as will
appear by a copy of the order of said Court granting

such administration, filed herewith & marked (B.)—

That since the death of said Allen Edwards to wit. on the 2^d. day of June 1836, the Estate of said Maria Whitfield dec^d. has been by order of said Court committed to the hands of your Complainant as Sheriff of said County to be administered according to Law — a copy of said Order of Court is filed herewith marked (C.)—

Your Complainant, therefore prays that the transactions of said Allen Edwards as administrator of said Maria Whitfield dec^d. may be settled by ~~the~~ ~~Commissioners~~ ~~of this Court~~, and any balance due thereon may be paid over to your Complainant, to be disposed of according to Law—

In consideration whereof and for as much as a Court of Equity has jurisdiction, to the End your Complainant prays that Lewis B. Edwards as administrator of Allen Edwards deceased, may be made Defendant hereto & answer the several allegations herein on oath — That the account of Allen Edwards as late adm^r. of Maria Whitfield dec^d. may be made & taken before a Commissioner of this Court, & that such Balance as may be due thereon may be paid over to your Complainant, (and that such other & further order and decree may be made as may be consistent with Equity &c. And your Complt. pr

John R. Kilby J. C.

Kilby p. 9.
 Tho. Hall, St. & Come of
 Maria Whitfield dec'd

or J. Dill &

Lenius B. Edwards admr.
 of Allen Edwards dec'd

1836.

July rules - Bill & filed &
 decreed Miss v. Deft.

Aug. July 1836 Bill
 Taken for Conf. &
 At for hearing.

Sept. Decm for a t.
 1837. Month find decm
 J. of W. Co. Ct.

Cell 5.93
 Stff. .50
 att. t. 5.50
 Com. 15.00
 \$26.93
 707.88
 734.81

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County—GREETING.

YOU ARE HEREBY COMMANDED TO SUMMON *Samuel B. Edwards*

Administrator of Allen Edwards decd.

to appear at the Clerk's Office, of our *County* Court for Isle of Wight county, on the first
Monday in *July* *a bill in chancery filed against him by* next, to answer *Thomas Hall Sheriff*

of Isle of Wight County and Committee of the estate
of Mariab Whitfield decd.

~~of a plea of~~

damages

and have then and there this Summons.

Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this *18th*
day of *June*, 185 *6*, in the *87th* year of the Commonwealth.

N. P. Young, Jr.

J. Hall Comr.

Mariah Whitfield

v. 3 Sum. in
3 Chy

S. B. Edwards adw.

of Allen Edwards

To July rules County

Court 1836.

Hully p. q.

I delivered & Give

copy to Linnaeus

to Edmund on the

17th of Jan. 1836

Wm. Hall

The Estate of Mariah Whitfield deceased
In account with Allen Edwards her Administrator

1852			
March 1	To Cash paid Administration	50	
"	do Salsbery for Metallic Coffin, Case &c &c -	30 00	
"	do Board of Mr Whitfield & servant while in Norfolk	15 00	
"	do Expenses of do in do -	20 00	
"	do do of Lying in state to this County & Burial Expenses		
	Bricking grave &c -	25 00	
Oct 15	do Clerks Tickets	1 25	
"	do Amount of judgment on N. B. Councils Meel &c -	8 17	
1853	March 5	Balance due Estate as per contra	651 99 \$751 91

1852			
March 1	By amount of sale of Chattel Estate made before qualification.	18 79	
"	" " Amount of Allen Edwards Bond for \$495.16, with interest from July 16 th 1842, less amount of offsets \$48.49 as per statement &c -	733 12	\$751 91

1853			
March 5	To Balance due on this date as per above A/c from Administrator to Estate	651 99	
1857	March 2	Interest on do to date -	155 89
	Total Amount, due from Administrator to Estate		\$707 88

Statement A of Allen Edwards offsets
as Mariash Whitfield's Bond, allowed by Commissioner

1848			
Nov	18	Amount paid Paul Pegram & Co for Mariash Whitfield -	6 25
		Interest on do to March 6 th 1852 -	1 23
1849	8	do paid do for do -	2 75
Dec		Interest on do to do -	37
1848	11	do paid E. Rawls for do -	7 71
March		Interest on do to do -	1 85
1850	22	do paid do for do -	9 77
July		Interest on do to do -	94
1850	4	do paid W. H. Stephenson for do -	1 45
Nov		Interest on do to do -	12
1851	27	do paid Charles Walters for do -	13 00
Aug		Interest on do to do -	40
1851	15	do B. D. Smith for do -	2 58
Sept		Interest on do to do -	07
			<u>\$ 48 49</u>

Commissioner's Office
Smithfield January 22nd 1852

To the County Court
of Isle of Wight County;

Pursuant to a decree of the county court of Isle of Wight county, rendered on the 4th day of August, 1836, in a suit in chancery depending in said court between Thomas Hall Admr of Mariash Whitfield, decd, as Plaintiff & L. B. Edwards, as admr of Allen Edwards decd as Defendant the undersigned, one of the commissioners of said court, to whom was referred for settlement, by said decree, the account of Allen Edwards, administration of the estate of Mariash Whitfield, deceased & of L B Edwards administration of the estate of Allen Edwards unless the said L B Edwards, should as such administrator admit sufficient assets in his hands to satisfy the Plaintiff's demand; reports to the court that on the 25th day of November, 1836 he issued notices to the several parties aforesaid requiring them to attend the settlement of the said account, before him, at his said office, on the 10th day of December, next, which were retained to your commissioner duly expected. That the parties aforesaid appeared before the commissioner in obedience to the said notices by their respective counsels; but the Defendant, not being able to complete his testimony - at his instance the taking said accounts was adjourned to the 6th inst & he thereupon examined the vouchers stated & settled the foregoing account of the administration of Allen Edwards of the estate of Mariash Whitfield, up to the 2nd day of March, 1851, & on that day finds a balance of \$ 707.88, to be due from the said administrator to the said estate, of which amount \$ 155.89 is interest & \$ 551.99 is Principal & entitled to bear interest from the 2nd day of March, 1851. The said Defendant on behalf of his estate filed an account of offsets against the Bond, due from said estate to the estate of Mariash Whitfield, of which your commissioner allowed those items which were proved & were not barred by the statute of limitations, amounting with interest thereon to \$ 48.49 as shown in the foregoing Statement A of the same. The Aff of the transactions of the Defendant as Admr of Allen Edwards was not taken, as the said Administrator admitted sufficient assets in his hands to satisfy the Plaintiff's demand, as will appear from his written admission of the same marked B, herewith returned. The Commissioner further reports to the court that after the completion of said account, he retained the same in his office ten days for the examination of the parties. The decree & notices aforesaid are herewith returned.

Given under my hand as Commissioner aforesaid the day
aforesaid.

Comm. fee \$ 15.75 - chgd to P^{ty} -

C. B. Hayden -

Thomas Hall
Adm of
M Whitfield
vs
M
Chancery

L. B. Edwards
Adm of
Allen Edwards

Commissioner's Report
Jan. 20. 1837 filed

J. L. B. Edwards Administrator of Allen Edwards
decd, hereby admit, that as such Admr, I have in
my hands, sufficient assets, belonging to the estate of
said Allen Edwards, to satisfy the amount ~~found~~
\$707.88, with interest on \$657.99 part thereof, from
March 2^d 1857, found by Commissioner Hayden
As to be due from said Allen Edwards, as Admr
of Marion Whitfield, to her estate on March 2^d
1857- if payment of the same should be decreed
against me as Admr of Allen Edwards-

Given under my hand this 1st day of January 1857

Teste -

Robt M. S. Jones

Signed J. L. B. Edwards Admr

Marion Whitfield }
Admin }
as } Helkey
Allen Edwards }
Admin -- }

Allen Edwards Admin's
Admission of Assets
filed with Commissioner
Hayden's Report -

State sh. & of Whitfield

v.

Edward & adm.

The Bill in this cause having been taken for contempt, ^{at rule} as to the Sept. ~~at rule~~ & he still failing to appear & answer - The cause came on to be heard on the Bill of the Compt. & exhibits filed, and was argued by ~~both~~; on consideration whereof the Court doth adjudge, order & decree that C. B. Hayden one of the Comrs. of this Court, take the following accounts -

1st an account of the Transactions of Allen Edwards as adm. of the estate of Maria Whitfield decd.

and unless the Sept. Lemis B. Edwards as adm. of Allen Edwards decd. will admit of assets in his hands sufficient to satisfy the plaintiff's demand, that then the said Comr. take & settle the account of said Lemis B. Edwards as adm. of said Allen Edwards decd., and make report to Court with any matters specially stated, seemed pertinent by himself or that may be required by any one to be so stated.

Hale Sh. &c

or

Whitfield &c

I. be entered

Geo. W. Carroll

P. J.

At a County Court held for Isle of Wight County on
the fourth day of August 1856.

Thomas Hall admr. of Mariah Whitfield decd.

Plf

Against— $\frac{2}{3}$ In Chancery.

L. B. Edwards admr. of Allen Edwards decd.

Defl.

The Bill in the Cause having been taken for confessed at
rules— as to the Defendant, the still failing to appear & answer,
the Cause came on to be heard on the Bill of Complaint
& exhibits filed, and was argued by Counsel; On Consideration
whereof the Court doth adjudge— order & decree, that L. B. May
—den one of the Commissioners of this Court, Take the following
accounts. 1st, An account of the transactions of Allen
Edwards as admr. of the estate of Mariah Whitfield decd, (and
unless the ^{Defl.} ~~the defendant~~ Lewis B. Edwards as admr. of Allen Edwards decd.
will admit assets in his hands sufficient to satisfy the plaintiffs
demand, That then the said Commissioner take & settle the account
of said Lewis B. Edwards as admr. aforesaid of said Allen Edwards
decd. and make report to Court— with any matters specially stated,
deemed pertinent by himself— or that may be required by any of
the parties to be so stated.

A Copy

Teste

J. C. Latimer D.C.

Thomas Hall adm^r. of
Mariah Whitfield trad.

vs. ³/₄ copy Deeree

Levinus B. Edmund adm^r.
of Allen Edmund trad.

Commissioner's Office
Smithfield Nov-25th 1856-

To Thomas Hall Admr de bonis
non of Mariah Whitfield, &
L. B. Edwards Admr of
Allen Edwards, deid -

You are hereby noti-
fied, that I have fixed upon the 10th day of December
next, to take & settle at my office, the account of the
transactions of Allen Edwards, as Administrator
of Mariah Whitfield, & that of L. B. Edwards
as Admr of Allen Edwards, unless the said L. B.
Edwards as said Admr shall admit assets in
his hands sufficient to satisfy the Plaintiff's de-
mand, required to be taken by the decree of the
County Court of Isle of Wight, rendered on the
4th day of August, 1856, in a suit in Chancery de-
pending in said court, between the said Thomas Hall
as Admr de bonis non of Mariah Whitfield & the
said L. B. Edwards, as Admr of Allen Edwards;
at which time & place you are required to attend.
Given under my hand as Commissioner in
Chancery of the said court, the day year
first aforesaid

C. B. Hayden

Thomas Hall
Admin of
Mariah Whitfield
vs
L. B. Edwards.
Admin of A. Edwards

In
Chancery

Commissioner's Notice
to
Plaintiff & Defendant -

Service acknowledged -

Robt Whipple

Counsel for Defendant

Thomas Hall Sheriff of A. of W. County & Committee
of Maria Whitfield decd.

vs.

Lenius B. Edwards admr. of Allen Edwards decd.

This cause came on this day to be
again heard on the papers formerly read and on
the Report of Amr. Haysen made pursuant to the
decree of the 4th of August 1856, to which no
exception has been filed, and was argued by
Counsel. On consideration whereof the Court
doth confirm said report and doth approve
over and decree that Lenius B. Edwards admr.
of Allen Edwards decd. out ~~of~~ the estate of his
Intestate, ^{he having admitted the same sufficient} in his hands to be administered, pay
to the plaintiff the sum of \$707.88 with
legal interest on \$651.99 part thereof from
the 2^d day of March 1857 till paid and
and the costs of this suit;

Walt. about 4

1

Edwards 2000

Learn

Mar. 6 1837

Goldman

bel. for \$5.93

At a Court held for Isle of Wight County on the 1st day of Mar^{ch} 1852
On the Motion of Allin Edwards who made oath and with
Davis Edwards his Security (who testified) entered into ~~and~~ bond
in the penalty of \$400, with condition according to law.
Administration is granted him on the estate of Maria's
Whitfield's Adm. in due form

A copy

Teste

J. C. Latimer D.C.

Whitfield's cont.

2. $\frac{3}{4}$ Chgs

Edward adm.

=

Cpts. **A**

At a Court held for Isle of Wight County on the 3^d of Mar. 1856.
On the motion of Senius B. Edward (with the consent in writing
of the widow) who made oath, and with Hardy Chapman,
Robert D. Marshall, Robert R. Pope, Thomas Hall and A. P.
Young his securities, who justified, They entered into and acknowledged their bond in the penalty of \$30,000— with condition
according to law, Certificate is granted him for obtaining
letters of ~~probate~~ administration on the estate of Allen
Edward decd. which bond is ordered to be recorded.

A Copy

Teste. J. C. Latimer D. C.

Whitfuld, Amos.

v. 3 Ch.

Edwards adn.

Exbt. **BB**

At a Court held for Isle of Wight County on the 2^d of June 1856
On Motion of N. P. Young Atty in fact for William Whitfield
ordered that the estate of Mariah Whitfield decd. who
has been dead for more than three months, unadministered
by Allen Edwards decd. her late Administrator, be committed
to the hands of Thomas Hall Sheriff of this County - for ad=
ministration.

A copy
Taken.

J. L. Latimer W. Co.

Whitful's adm.

v. 3 Oly.

Edward's adm.

E. B. D. C.