

881-003 Chancery Causes. Junius O. Atkins + al vs Moses Atkins' admr + al
Dale of Wight County Petition of Elizabeth Carstarphen's admr

othersurnames: Eley,
Gwaltney, Edwards, Whitley,
Clarke, Stephens, Jones,
Stephenson, Barlow

Susannah his wife, being herein
after named defendants.
that the said George Clarke came
as aforesaid, has rendered no
further ad of his transactions,
that your complainants have had
no final settlement with the said
deamr, and are ignorant of their
rights under the said will; that they
are entitled to have their rights
ascertained under said will, and
payment of the same decreed them.
In tender consideration whereof, and
for as much as your complain-
ants are without remedy at law, and
can only be relieved by the aid of
this Honorable Court of Chancery
where matters of this sort cognizable.
To this end your complainants pray
that the said George, Clarke as
deamr of Moses Atkins dec'd with
the will annexed, Perkin, Jones
deamr de bonis non of Simon
Atkins with the will annexed
Margaret Stephen, Joseph Atkins,
J. J. Atkins, Madison Camaras and
Susannah his wife may be made
parties defendant to the bill and

Octo. ct. 1/95. De. for a
April and Oct. 76
owed

Apr. 77. De. conf. in
part, De. for distribution
new fountain pencils
owed mine.

Oct. 1879. De. conf. g.
depos. for 100 ymms.
to be cl. d.

Oct. 1879. Report
conf. 5. De. to distri-
bute re

1881. Octo. Final
Deare

Advised table

In Column 2

U.S. Bank account
of Wm. A. Thompson

Comptroller's Office

Dec. 11, 1890. Bill to
filed - De. seen as all
depos. except J. S. Arthur fund
new Res. d. & J. S. Thompson
dead - appt. as to said
J. S. Thompson - H. D. case to
see on when expd.

July. 18. Bill taken for
conf. as to position against
column de: mine was sent
at last under seal for
proving as to them.

the record is a summary of the same, and
that the record of this Honorable
Court is further a copy of the transac-
tions of the said George, & clear
as any of the said transactions
may be taken, and the rights of the
said Legates under the said will
be ascertained and settled, and
that such other further and
general relief may be granted in
the premises as the nature of the
case may require or to Equity shall
deem meet.
And your complainants will
over & say &c

Wm. A. Thompson

To the Honorable Sec. Blou Judge of the
Circuit Court of Law and Chancery
for the County of Ide of Wight in Chancery
sitting.

Humble complainants sheweth
to the Court your complainants
Jennius O. Athins, Archer Athins,
Martha Wrenn Clay, Merit Guatney,
and Cherry his wife, George W. Athins,
L. B. Canard's adm^r of Elizabeth
Canard's shen, L. B. Canard's adm^r of
Mary Ann Whitley deceased, and
L. B. Canard's adm^r of Paris Athins;

That on or about the day of 1864

one Moses Athins departed this life in
the County of Ide of Wight, having
before his death made and
published his last will and testa-
ment, which after his death doth
in the 5th day of September 1864, was duly
admitted to Probate in the County Court
of the County aforesaid, a certified
copy of said will with certificate of
Probate annexed, marked A is herewith
filed & says to be taken as a part
of this Bill.

That prior to the Probate of said will, and
before its discovery, one George W. Clarke

Exhibit
A

qualified in the Court aforesaid as exam^r
of the said Moses Atkins, who was then
supposed to have died intestate, and that
after the discovery and exposure of said will,
the said George G. Clarke qualified in
said Court as exam^r with the will annexed
of the said Moses Atkins.

That the said exam^r has returned an
inventory and appraisement of the personal
estate of the said Moses Atkins, which
remains in the hands of the said administra-
tor and account of his transactions
such exam^r to Samra up to 3^d 1865,
showing a balance due by him as
exam^r to his said testator's estate on that
date of \$24617⁰⁴ wholly due in
confidential money.

Exhibits
B. C. & D

That certified copies of said inventory
and appraisement, and of said
administration are marked respectively
B. C. & D. are herewith filed and prayed
to be taken as a part of this Bill.
That besides his personal estate, the
said Moses Atkins left a piece of
real estate in said County containing
by estimation 136 acres in North
Dorsetshire, adjacent to the lands of
Dorsey Denny & al^s, as appears from

Exhibit
8

the certified extract from the said
book of said county, herewith filed
marked, & and prayed to be taken
as a part of this Bill.

That the said testator by his will, dis-
posed of his whole estate, real and
personal, directing the sale thereof
and with the reception of a few
small legacies to Junius Atkins
and William Atkins, bequeathed the
proceeds thereof under the 7th clause
of his will equally between his
children to wit, Cherry Groatney
wife of William Groatney, Simon
Atkins, Mary Ann Whitley wife
of Jesse Whitley, Elizabeth
Leavitts, Susanah Capron
wife of Madison Capron, David
Atkins, Margaret Stechen wife of
Joseph Stechen, George W Atkins
Joseph S. Atkins, — Archer
Atkins, Martha Wrenn Atkins & Junius Atkins
that the said William Groatney, has
departed this life, and his wife the
said Cherry has intermarried
with Merit Groatney, — The said
Mary Ann Whitley, Elizabeth
Leavitts and David Atkins
have departed this life intestate

in the county aforesaid, and their
respective estates have been com-
mitted for administration to
L. B. Canavan the Sheriff of said
county;

That the said Martha Wrenn Atkins
has intermarried with William Beckley
who has departed this life leaving the
said Martha Wrenn surviving;

The said Junius Atkins (sometimes
called Junius O. Atkins your com-
plainant as aforesaid) has attained
twenty one years of age, making his
legacy under the 8th clause of said
will absolute.

And of which said last named
beneficiaries, and Archer Atkins
aforesaid, being your complainants
aforesaid in this Bill.

The said Simon Atkins has departed
this life Bertha Jones has qualified
as his administrator with the said annexed;
The said Joseph Stephens has depor-
ted this life, the said Margaret Sims
surviving; the said Bertha Jones
daughter of Simon Atkins, Margaret
Stephens, Joseph Atkins, J. S. Atkins
and Madison Canavan and

Atkins et als

vs

Atkins's Admin et als

To the Honorable George Blow, Judge of the Circuit Court of Isle of Wight County:

The Answer of J. S. Atkins, generally called A. A. S. Atkins, to the Bill of Complaint in said Court exhibited by Junius A. Atkins and others against him and others.

This defendant saving and reserving all right of exception to the many errors in said Bill contained for answer thereto or to so much thereof as he is advised it is material or necessary for him to answer, answering says: That he admits to be true the allegations of said Bill as to the death and testacy of Moses Atkins, the probate and provisions of his will, and the qualification of G. S. Clarke as his admin with the will annexed.

This defendant is the son of William Atkins, a deceased son of said Moses, and is the grandson of said Moses, to whom the legacy of \$50.00, is given by the 5th clause of said testator's will, under the name of J. S. Atkins, by which name he was known in early infancy when he removed to the state of North Carolina, and where he acquired the name of Arage Andrew Stewart Atkins, and usually, only signs A. A. Atkins., and is generally called Argander. This defendant has never received any portion of his said legacy of \$50.00, and he prays that

the same with its accrued interest may be paid him, and having answered he prays hence to be dismissed with his cost in this behalf most unreasonably expended, and he will ever pray &c.

Signed J. S. Atkins

Isle of Wight County to wit:

I C. B. Hayden, a Notary Public for the County aforesaid, in the State of Virginia, do certify, that A. A. Atkins, sometimes called J. D. Atkins, whose name is signed to the foregoing Answer, personally appeared before me in my said County, and made oath to the truth of the statements contained in his foregoing Answer.

Given under my hand this 20th day of October 1877.

C. B. Hayden

Notary Public

Answer
of
J. D. Atkins

Atkins et al

vs

Atkins's Adm'r et al

To the Circuit Court of Isle of Wight County;
Your petitioner, L B. Edwards, Admin of
Elizabeth Carstanphen, deceased, humbly
represents to the Court, that as such Admin
he holds the bond of Joseph A. Atkins, as
principal, and Moses Atkins as Surety, for
the sum of \$20.00, payable on the first day
of January, ^{herewith filed} 1857. That said bond is wholly
due and unpaid, and that your petitioner has
not before filed his petition for the
payment of the same, out of the assets of
Moses Atkins, because he expected to pay the
same out of share of the said Joseph A. of
whom your petitioner is also administrator.
But it appears from the account of the
Commissioner in this suit that the said Joseph
A. Atkinson was indebted to the estate of his
father, Moses Atkins, in a larger amount
than his share of said estate, and hence the
said bond cannot be paid from that source,
and the said Joseph A. Atkins has no other
estate of which your petitioner has any knowledge,
Your petitioner therefore prays, that said
bond may be paid out of the assets of said
Moses Atkins, and your petitioner will ever pray
X C.

C B Hayden Atty for
L B Edwards Admin of
Elizabeth Carstanphen

Atkins et als
Vs
Atkins Admin

Petition
of
Elizabeth Warstarphen's
Administrator

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

*George W. Clarke admr. with the will annexed of
Moses Atkins deed; Benbin Jones admr. of Simon Atkins deed;
Margaret Stephens, Joseph Stephens, J. S. Atkins, Madison
Edwards & Susannah his wife*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for
the said Court, on the first Monday in *January* next to answer the bill in

*Chancery of J. M. O. Atkins, Archer Atkins, Martha Wrenn
Stephens, Brent Swattney & Cherry his wife, George W. Atkins, L. B.
Edwards admr. of Elizabeth Cantarphen, L. B. Edwards admr.
of Mary Ann Whitley deed; L. B. Edwards admr. of David W.
Atkins*

~~of a plea of~~ _____ for \$ _____, Damages \$ _____. And have

then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the *14th*
day of *December* 187*4*, in the *99th* year of the Commonwealth.

Alfred Teste

N. P. Young Clk.

Wm. H. Hart, Jr.

The Commonwealth of Virginia,

Surry

To the Sheriff of ~~Isle of Wight~~ County, Greeting:

WE COMMAND YOU TO SUMMON

*George T. Clarke admr with the will annexed
of Moses Atkins deed; Burlin Jones admr of Simon Atkins
deed; Margaret Stephens, Joseph Stephens, J. S. Atkins,
Madison Edwards & Susannah his wife*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for
the said Court, on the first Monday in *January* next to answer *the Bill in*

*chancery of Jimmie S. Atkins, Archer Atkins, Martha
William Coley, Merit Swallow & Cherry his wife, George W. Atkins
L. B. Edwards admr of Elizabeth Constable, L. B. Edwards admr
of Mary Ann Whitley deed; L. B. Edwards admr of David W.
Atkins.*

of a plea of for \$, Damages \$. And have

then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the *14th*
day of *December* 1874, in the *99th* year of the Commonwealth.

N. P. Young Clk.

Atkins & al.^s—

vs. } Sum^y to
ans^y bill

Atkins' adm^y & al.^s—

To Jan^y, Rules 1875,
Hayden & Bogkin py^d

Executed Dec^r 31st 1874

by delivering a true
copy of this & pa to G. J.
George in person

Henry C. Coawens
Shriff

W. Hayden will pay

for. coll.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *George T. Clarke admr with the will annexed*
of Moses Tins dead; Robin Jones admr, of Simon Atkins dead;
Margaret Stephens, Joseph Stephens, J. S. Atkins,
Madison Edwards and Susannah his wife

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for
the said Court, on the first Monday in *January* next to answer *the bill in*

Chancery of James O. C. Tins, Arthur Atkins, Martha Wrenn
W. J. M. H. Swatney & Henry his wife, George W. Atkins,
L. B. Edwards admr of Elizabeth Carstarphen, L. B. Edwards
adm of Mary Ann Whitley dead; L. B. Edwards admr of David
A. Atkins

of a plea of _____ for \$ _____, Damages \$ _____. And have

then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the *14th*

day of *December* 1874, in the *99th* year of the Commonwealth.

Copy

N. P. Young clk!
Cath. Hart, S. C.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting :

WE COMMAND YOU TO SUMMON *George T. Clarke adm. with the will annexed of Moses Atkin decd; Barlin Jones adm. of Junior Atkin decd; Margaret Stephens, Joseph Stephens, J. S. Atkin, Madeline Edwards & Susannah his wife*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *January* next to answer *the Bill in chancery of James C. Atkin Archer Atkin, Martha Ann Elm Ely, Merit Qualting and Cherry his wife, George W. Atkin, L.B. Edwards adm. of Elizabeth Carstarphen, L.B. Edwards adm. of Mary Ann Whitley decd; L.B. Edwards adm. of David W. Atkin*

of a plea of _____ for \$ _____, Damages \$ _____. And have th
then there this writ. Witness N. P. YOUNG, Clerk of our said Court, at the Court House, the 14 -
day of *Decr.* 1874, in the 99th year of the Commonwealth.

N. P. Young Clk.

Executed by delivring to the within
 name Berken. John Macduson
 Edward Susanna Edward and
 Margate Stephenson ^{each a copy of this summons} Dec. 31st
 1874.

A. P. Edward Shiff.

Geo. S. Clarke & J. G. Atkin are not residents
 of my county. Joseph Stephenson is dead.

Attorneys John

Sum. to
 am. Bill

Attorneys' adv. sum.

To Jany. Berken 1874

Received of Jany. Berken

J S Atkin named in Maes Atkin
Will as the son of Wm Atkin. decessor
is now living & his real name is George
Andrew Stewart Atkin - usually called
Sighs A S Atkin & sometimes called by garden
Ser Archer & Lucius O -

Petition of
J^{at} S^{at} et al

Alkin, Lad

14

Mares Alkin
Solun edaly ~

1864	George J. Clarke adm. & of Mrs Atkins		
	To the Clk. of Isch Wight Co. Ct. Dr.		
Jun	Admow. on his est. Recd. bond (Staple) 2 1/5		
Aug.	Proving his will in port & cont.	"	55
Sept.	Do. Codicil and cont.	"	55
Nov.	Proving Recd. will	"	1 20
1865-			
July.	Recd. in by & spent	"	88
	Admow: on est. with Will & cont. &	"	1 45

A. S. Young & Co
Tax off

7 50
1 00
8 50

Clarke Geo. Esq.

adm.

\$7.00

2.50 +

1.40 +

6.50

6.11

1.81

11.55 7

29.56

4.50 +

34.06

14.41 one

John Ford the
Proprietor, in which
I enclose three
tickets,

1866 George J. Clarke admr. of Mass Athens .. 5.
To Clerk of Isle of Wight Dist. Court.

Aug. Summs. Copy, noting, entry. atts. decl. Rules, &

Sep. certifying same as Hollenman 1 41

Oct. Replw. 15. Swearing jury 70 85

A. D. Youngblaw. \$ 2 26

Clarke Geo. T.

Adm.

\$2.26

✓

1864. Geo. T. Clarke adm. From Atkins
To the clk. of Isle of Wight Co. S. D.
Nor. Copy this will (old chg.) \$1.40
A. P. Young clk.

Clarke Geo. T.

Nov.

11.40

1566
1566

Large L. black & white of the same old time

at 2

To the birds of the night & the night

Search for the old time will

10

L. B. George, L. B.

Alfred Geo. T. Adair.

.10

✓

Henry Co
+

Wm George Clarke adm. Inves Atkins
To the Clk. of Sale of Wight Co. Ct. Dr
for Recd. & filing insty. of bonds. 40
N. S. Youngblut.

Clarke Geo. T.
admr.

4.40

1846

Ans.

George T. Clarke adm. v. of Moses Atkin S.
To N. P. Youngblood. of Ish of Wright Co. Ct.
Restating reporting your admow.
act, and distribute act. v. \$ 8 00
N. P. Youngblood.

Geo. S. Clarke
adm.

\$8.00

7 27

12 54

4 40

2 25

1 00

20.01
✓

Geo. T. LeCarre. Comr.

1870.

To. T. J. Clements. Dr

Oct^r 3

To Selling in Attn of
to Mole Men.

3 ~~5~~ 500

Paid
T. J. Clements
cc

Geo. P. Clarke

1867
Aug

George F. Clark Secy. of Mass. Fisheries

Sr.

To the Clerk of S. Lexington County Court

Filing, Copying & Recdg. returned ~~to~~

Exhibits & distribute acct

A. P. Youngy Clk.

\$ 2.20

Black S.T. Road.

✓
2.25
6.00
2.26
1.40
50
8.00
20.41
5.49
25.90

Lynchburg

St. Rev. / 66

670
62

732
24 1/2

2928
1464
366

179.34

732.00

~~4734~~

911234

395.00

\$516.34

Dr. / 70

Young Coy
J. Wright C. S.

V. 6
11

180.76

30.09

\$710.85

166

12544.85

45.40



$$\begin{array}{r}
 576.34 \\
 17\frac{1}{2} \\
 \hline
 361438 \\
 51634 \\
 25812 \\
 \hline
 90.35.95
 \end{array}$$

$$\begin{array}{r}
 76.087 \\
 \hline
 61.88 \\
 713.95
 \end{array}$$

$$\begin{array}{r}
 22.59.35 \\
 \hline
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 \end{array}$$

$$\begin{array}{r}
 451.87 \\
 \hline
 2
 \end{array}$$

$$\begin{array}{r}
 72.58 \\
 \hline
 3.87
 \end{array}$$

$$\begin{array}{r}
 76.39 \\
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 11.37.08
 \end{array}$$

$$\begin{array}{r}
 189.88 \\
 \hline
 64.60
 \end{array}$$

$$\begin{array}{r}
 252.10 \\
 \hline
 762.08
 \end{array}$$

$$\begin{array}{r}
 265.89 \\
 \hline
 3.87
 \end{array}$$

$$189.52$$

$$\begin{array}{r}
 606.69 \\
 498.00 \\
 \hline
 108.69 \\
 \hline
 \text{over } 48.0.0.
 \end{array}$$

Richmond Va

March 14th 1877

W. D. Young Esq
Dear Sir

Yours of 12th inst.
rec^d and in repl^y, will say
that I think the legacy to
Arthur Atkins was omitted in
the former act. of legacies
for the reason you mention,
that is, because it was given
to educate him, and the
necessity for it no longer
existed, or rather, the intention
and object of it had ceased
before testator's death as he
was then grown & married.
Why Mrs. Elly's legacy was o-
mitted I do not know. If
it was because of the indult.

edness of her husband to the
est. as you suggest, it was
all wrong and should be
corrected

I Am Sir

Very truly yours

Rev. S. Clarke



Mr. Moses Atkins Esq.

1870. To F. SMITH, Sheriff of Isle of Wight Co.,

Dr.

To	Capitation Tax.....		
"	226 Acres of Land, value \$.....	769	385
"	Ditto for county.....		164
"	County Levies at.....		
"	Revenue on Personal Property, Bonds, &c.....		
"	Ditto for county.....		
"	Clerk's Fees.....		
"	Commissioner's Fees.....		549
	RECEIVED PAYMENT, ...		

Sheriff.

Prizes After merit

5.99

✓

✓
#20.41
5.42
25.90

The Estate of Moses Atkins deceased
In Account with Geo. T. Clarke, Admr. &c.

		Dr.			
1866					
Oct.	20	To fee in suit vs. John S. Stollenman	\$ 10 00	✓	
1870		" mit tax ⁵⁰ , Revenue Stamps ⁵⁰	1 00	✓	
May 1871	5	" drawing deed to Geo. W. Atkins for land	10 00	✓	
June 1872	2	" paid taxes & clerk & Sheriff's fees	25 90	✓	
Feb'y 1876	4	" " T. J. Clements, Auctioneer of land	5 00	✓	
Oct.		" drawing deed to Henry Jones for land bought by Geo. W. Adams & conveyed to Jones at said Adams' request	10 00		
		" 5 per cent. Coms. on \$782.36 receipts	39 11		
		" balance due estate	681 35		
		Cr.			
May 1870	5	By amt. received of Geo. W. Atkins, principal on his two bonds for land			210 00 ✓
1871		" amt. on same from 5 th Nov ^r 1866 to date			44 10 ✓
May 1874	29	" Amt. received of Mrs. E. Adams for Geo. W. Adams in part for land			76 39 ✓
April 1875	13	" Amt. rec ^d of W ^m E. Allen on bond for \$417.47, Sealed value of which at 45 to 1 was			92 7 ✓
1875		" Interest thereon			5 13 ✓
Aug. 1876	12	" Amt. rec ^d of Mrs. E. Adams for Geo. W. Adams in further part for land			5 00 ✓
Oct. 1876	19	" Amt. received of Henry Jones for Geo. W. Adams in full for land & int.			387 47 ✓
					782 36 782 36

Memo

T. J. Clements kept for the \$5. paid him I have mislaid but I remember very well that I paid it & I remember seeing the receipt frequently among my papers. All the other charges (except the taxes &c. paid the vouchers for which are returned) are shown by the records of your office & I suppose no other vouchers will be necessary.
G.T.C.

Moses Atkins is entitled to a legacy under the will. He bought the "Home Trust" of land for \$670.00 & another trust known as "Sixie's" for \$62.00 on the 5th day of Nov^r 1866 and was to pay interest from day

Junius S. Atkins, Archr Atkins, Martha
Lorna Ely, Minnie Gwatney and Cherry
his wife, George C. V. Atkins, A. B. Edwards Admr
of Elizabeth Clarksaphen, A. B. Edwards Admr. Mary
Ann, Whithy and; A. B. Edwards Admr of
David N. Atkins

Plffs

vs } In Chancery.

Gro. T. Clarke Admr with the will annexed
of Moses Atkins decd; Burtin Jones Admr of
Simon Atkins decd, Margaret Stephens, Joseph
Stephens, J. S. Atkins, Madison Edwards and
Susannah his wife

Defts

This cause in which it is sug-
gested that since the filing of the Bill the defnd-
and Burtin Jones Admr of Simon Atkins and
Joseph Stephens, have departed this life, and
that Lanna S. Jones has qualified as ~~his~~ admin-
istratrix with the will annexed of said Simon
Atkins, and that J. S. Atkins has not been
heard from for more than seven years, and
that his estate has been committed to A. B. Ed-
wards Sheriff of this County for administration
it is ordered that this suit be carried on against
the said Lanna S. Jones as Admr. with the will
annexed of said Simon Atkins and A. B. Ed-
wards Admr of said J. S. Atkins as defendants
by consent of said Lanna S. Jones and A. B. Ed-
wards, and in which the Bill, is taken for con-

files as to the defendants G. T. Blake as Adminr.
with the will annexed of Moses Atkins and,
Margaret Stephens, Madison Edwards and Susan-
nah his wife, on whom process has been duly
served they still failing to appear shad answer
or answer, this day came on to be heard on the
Complainants bill & Exhibits filed, and was ar-
gued by counsel, on consideration whereof the
the Court doth adjudge order and decree that a
Commissioner of this Court take the following
accounts:

1st - An account of the transactions of G. T.
Blake as Adminr. with the will annexed of
Moses Atkins decd.

2^d - An account showing the amount and
the respective legacies under the will of said
Moses Atkins, which account he shall take
settled and report to Court with any matters
especially stated deemed pertinent by himself
or required by the parties to be set stated.

A copy Teste
J. S. Curdie Clerk
W. P. Young Secy.

Atkins & also
copy
from

Atkins Adams & also
Oct. Term 1870.

Volume 17 - 1870
to 1871

128.20
12.70
2.10
143.00

Cost in ship

100.00

A.

The Estate of Moses Atkins decd.

In account with George T. Clarke, administrator
with the will annexed of said deceased.

1865.

Jan'y. 7 By Balance due the Estate,
wholly in Confederate States
Treasury notes which came
into the hands of the Adm.
during the war in the due
course of his administration,
and are worth less. . .

\$34617 04

1866

Octo. 20 To fee in suit vs. Geo. T. Holliman 10 00

1870

" Court tax & revenue stamps do. 1 00

May 5 " Drawing do. & to Geo. Watkins 10 00

1871

Jan'y. 7 " Paid taxes & Clerk & shuff. fees 25 90

Feby. 11 " T. J. Clements crier at land sale 5 00

May 5 " Comm'd. on \$254.10 receipts 12 70

" " Balance due the estate 189 80

\$254 10

1870.

May 5 By amt. received of Geo. W.
Atkins, principal on his
bond for purchase of land 210 00

" " " Interest received on same
from 5th of Nov. 1866, to date 44 10

\$254 10

1871

May 29 To Comm'd. on \$76.39 receipts 3 81

May 5 " Balance due est. princ. int: 262 88 11 37

\$265 89 \$11 37

1871

May 5	By Balance per contra to date	189 50		
1872				
May 5	" interest on same one year		11	37
	" amt. received from Geo. E. Adams,			
	in part of Geo. W. Adams' bond			
	for land	76 39		
		\$265 89	\$11	37

1876

Octo. 19	To drawing deed to Henry Jones			
	for land bought by Geo. W. Adams			
	and conveyed to Jones at Adams' request	10 00		
	" fees clerk for recording act. of			
	sales of lands	60		
	" commissions on \$457. 87 receipts	22 59		
" "	" Balance due the estate of			
	principal & interest	680 76	30	09
		\$713 95	\$30	09

1872

May 5	By balance due estate per contra	263 08	11	37
1874				
Apr. 13	" amt. recd. of Geo. E. Adams on			
	bond for \$417. 41 given for			
	confd. money, the scaled			
	value of which @45 to 1 was	9 27		
1875	" Interest received thereon	5 13		

Aug 12	" Amt. Recd. of Geo. E. Adams in			
	further part of Geo. W. Adams' bond	50		

1876

Octo. 19	" Amt. received of Henry Jones in			
	full of Geo. W. Adams' bond for			
	land, & interest	387 47		
	" interest on \$263. 08 one year		15	72
	" int. on \$50. 00 one year		3	00
		\$713 95	\$30	09

13.

An account showing the amount due the
respective legatees of Moses Atkins decd:

Am't. of legacy to Junius A. Atkins	300 00
Int. thereon from 5 th Nov. 1865 to 5 Nov. 1876	198 00
To this amt. being l'p on sales of land bought by J. O. Atkins on 5 th of Nov. 1866 for \$732.00 and nothing paid thereon, was resold on 5 th Decr. 1870, for \$395.00, making the l'p with interest from sale	576 34
Int. thereon to 5 th Nov. 1876	90 35
By his portion of \$544.85, being \$710.85, the balance due the Estate, l'p \$166.00 legacies, with int. due to Martha W. & Jas. S. Atkins	45 40
Balance due estate from Junius A. Atkins	63 29
	\$606 69 \$606 69

Am't. of legacy to Jas. S. Atkins	50 00
Int. thereon as above	33 00
His legacy & interest thereon	\$ 83 00

Am't. of Legacy to Martha W. Atkins, now Martha W. Eley	50 00
Int. thereon	33 00
By her part of \$544.85 as above	45 40
Total due M. W. Eley	\$ 128 40

Amount due Cherry Swatney
a daughter, being her distributable
share of the aforesaid sum of
\$544.85

\$ 45 40

Amount due the estate of Simon
Atkins dec. being his distributable
share of the aforesaid sum of \$544.85

\$ 45 40

Amount due L. B. Edwards
administrator. ~~Children~~ of Mary
Ann who was wife of Jese Whitty, ~~their~~
distributable share of said sum of \$544.85

\$ 45 40

Amount due the estate of
Elizabeth Carstarphew, being
her distributable share of the
aforesaid sum of \$544.85

\$ 45 40

Amount due to Susanna
Edwards wife of Madison
Edwards, being her distributable
share of the aforesaid sum of

\$ 45 40

Amount due the estate of
David N. Atkins, being his
distributable share of said sum

\$ 45 40

Amount due to Margaret
Stephenson widow of Joseph, being
her distributable share of said sum

\$ 45 40

Amount due Geo. W. Atkins,
being his distributable share
of said sum

\$ 15 40

Amount due Joseph F. Atkins,
being his distributable share
of said sum

\$ 15 40

Amount due Archer Atkins,
being his share, as distributee,
in said sum

\$ 15 40

1846.
Octo. 19

Recapitulation.

Balance due the estate as
per acct. A. of principal,

680 76

Do. Do. " interest

30 09

Of which there has been dis-
tributed by account B. To
James O. Atkins

15 40

Martha W. Cley

15 40

Cherry Geo Atkins

15 40

Simon Atkins' est.

15 40

Mary Ann Barlow

15 40

Elizabeth Carstarphus est.

15 40

Jessama Edwards wife Madison

15 40 ✓

David N. Atkins' est.

15 41 ✓

Margaret Hiptonson

15 41

George W. Atkins

15 41

Joseph D. Atkins

15 41 ✓

Archer Atkins

15 41 ✓

The legacy to Jas. D. Atkins

83 00

The legacy to Martha W. Cley

83 00

\$ 710 85 \$ 710 85

A Statement showing the amount withheld by the administrator from such of the above said distributees of the estate, as are indebted to the estate to an amount greater than their respective shares, as shown by their bonds held by the adminr, and to whom the said amt; so withheld, has been distributed. To wit:

Joseph P. Atkins share		
so withheld & distributed.	3	45 40
David A. Atkins	Do.	45 40
Madison Edwards wife	Do.	45 40
Archer Atkins	Do.	45 40
Make the amt. for distribution		\$ 181 60
and distributed as follows		

To Henry Goattney	1/8	22 70
" James Atkins Est.	"	22 70
" Mary Anne Whitley, admr.	"	22 70
" ~~Abella~~ ~~Barlow~~ ~~surge~~	"	22 70
" Elizabeth Carstophers' Adm.	"	22 70
" Margaret Hefburn	"	22 70
" George W. Atkins	"	22 70
" Junius A. Atkins	"	22 70
" Martha W. Eley	"	22 70
		\$ 181 60

Junius A. Atkins, after being credited with his distributable share of the estate, To wit: \$45.40, and his legacy with interest, still ~~remains~~ ^{a part of} indebted to the estate \$53.29, his portion of the above fund of \$181.60, to wit: \$17.89, together with his distributable share of the balance

due by the admr. to wit. \$45.10
 making the sum of
 is distributed to the distri-
 butes, not indebted to the
 estate, as follows

63 29

To Cherry Sewall	9 04 ¹ / ₂
Simon Atkins Est.	9 04 ¹ / ₂
" Mary Ann Whitely's ~~children~~ ^{admr.}	9 04 ¹ / ₂
" Eliz. Carstarphen Est.	9 04 ¹ / ₂
" Margaret Stephenson	9 04 ¹ / ₂
" Geo. W. Atkins	9 04 ¹ / ₂
" Martha W. Eley	9 04 ¹ / ₂
	\$ 63 29 \$ 63 29

Leaving the
 Balance due J. A. Atkins

\$4.81

Commissioners Office, Isle of Wight Courthouse.
 March. 1st. 1877.

To the Circuit Court of Isle of Wight County.

Pursuant to a Decree of the said Circuit
 Court, rendered on the 21st. day of October, 1875,
 in a Suit in Chancery therein depending,
 between Junius O. Atkins and others, ^{plffs.};
 and George T. Clarke, admr. of Moses Atkins
 decd: and others, ^{defndts.}; directing a commis-
 sioner of the Court to take an account
 of the transactions of George T. Clarke,
 admr. with the will annexed of Moses
 Atkins decd.; and an account showing the
 amounts due the respective legatees under
 the will of said Moses Atkins, Your
 commissioner reports to the Court that,
 on the 18th day of November, 1875, he issued
 notices to the parties that he had fixed

upon the 3rd day of December, 1875, to take
and settle the said accounts, notice of which
notice was acknowledged by C. F. Hayden
~~and General L. L. Lusk~~ counsel for the plaintiffs;
and ^{by Geo. J. Clarke, and others executed on the other defendants.} and on the day so fixed upon, the
parties failing to appear, the taking of said
accounts was continued and kept continued
from day to day until the date of this
report, when the said adm: having laid before
your commissioner a statement of his
transactions, together with the vouchers for the
disbursements made by him, whereupon
the said vouchers were examined by your
commissioner, and the foregoing account ~~A~~
was made up and completed, which shows
that on the 19th day of October, 1876, there
was a balance due the estate of \$680.76
of principal, and \$30.09 of interest, making
the sum of \$710.85. That from the evidence
laid before your commissioner which he
examined he has made up the foregoing
account B of the amount due the respective
legates of the said Moses Atkins, which
shows that after crediting the legatee James
C. Atkins with a legacy to him and interest
thereon, and also with his distributive shares
of the balance due the estate, the said
legatee is indebted to the estate the sum
of \$69.29. This result is produced from
the fact that he is charged with a loss
on sale of land which was sold by the
adm: and purchased by him and nothing

being paid thereon, was resold. That on the 19th day of October, 1876, there is due to the estate of James S. Atkins decd.; a legatee, \$83.00 with interest on \$50, part thereof till paid. That there is due to Martha W. Eley, legatee and distributee, \$128.40 with interest on \$95.40, part thereof, from that date till paid. also the sums of \$22.70 and \$9.04 $\frac{1}{4}$, with interest thereon from the same time till paid. and to Cherry Gwaltney, Simon Atkins' estate, Mary Ann Whitty's admr., Elizabeth Carstensen's admr., Margaret Stephenson and George W. Atkins, each the sums of \$45.40 \$22.70 and \$9.04 $\frac{1}{4}$, with interest on each sum from the 19th day of October, 1876, till paid. In making this account, it appearing by evidence that Joseph S. Atkins, the estate of David N. Atkins, Madison Edwards and Archer Atkins were indebted to the estate each, in an amount greater than their distributive share, their shares, amounting in the aggregate to \$181.60, were distributed to the other ^{to} distributees. And that the said Junius O. Atkins, after being credited as aforesaid with his distributable share of the balance due by the administrator as well as the fund of \$181.60, making the sum of \$68.10, and his legacy aforesaid, and charging ^{his} ~~him~~ with the aforesaid balance of \$63.39, has a balance due him of \$4.81 with interest as aforesaid.

Given under my hand as a commissioner of

J. A. Atkins et al.
vs. ^{to} In Clap.

Moses Atkins Adm. et al.

Report of Comm. Finney
under Act. of Octo. 175.

Filed March 15. 1847.

the said Circuit Court, the day and year first
aforesaid.

Done and signed by the
Court, 20 hours - At \$20.00
Stiff. fee

2.50
\$22.50

A. S. Finney Com.

Commissioners Office, Isle of Wight
Court House, March 8th. 1848.

To the Circuit Court of said County.

Pursuant to a decree of the said Court made on the 23^d day of October, 1847, in the suit then pending between J. A. Atkins & Co. Plaintiffs and Geo. D. Clarke adms. of the said Atkins & Co. defendants, directing a Commissioner of the Court to make enquiry and report to the Court, "whether the defendant J. S. Atkins, sometimes called A. A. S. Atkins, whose answer was filed in this cause on the 23^d day of October 1847, is the same person as the legatee named in the fifth clause of the will of the said Atkins decd: as the grandson of the said testator and son of William Atkins, a deceased son of said testator". Your Commissioner reports to the Court that he issued notice to the parties, both plaintiffs & defendants, that he had filed upon the 8th of March, 1848, to make said enquiry report, at his office, and requiring them to attend. Which notice was duly acknowledged by the counsel for the parties, and on the day so appointed, being the date of this report, your Commissioner examined the evidence adduced, touching said enquiry, and reports, from the evidence, that the said J. S. Atkins, sometimes called A. A. S. Atkins, whose answer was filed in this cause as

J. A. Atkins et al.,

vs. $\frac{1}{3}$ Clerk.

Charles Atkins' administrator.

Report of Com. Young
on inquiry as to the
identity of J. A. Atkins
under Dr. of Dec. 1877.

March 15th 1878,

Filed.

aforesaid, is the same person as the legatee
named in the will of Charles Atkins sen, in the
fifth clause thereof, as the grandson of
the said testator, and son of W^m Atkins, a
deceased son of said testator.

Given under my hand as a commissioner
of the said Circuit Court, the day & year first
aforesaid.

Com. Y. for \$5.00
Paid. *J. P. Young*
Sleff. *J. P. Young*
by C. B. Hayden atty for J. A. Atkins
\$5.00

In the Circuit Court of Suffolk
County - October 20th 1879.

Moses Atkins admr. et als

Complete

v { Executors.

J. A. Atkins et als.

Settle.

This cause this day came on to be
again heard on the papers formerly
made, and on the report of Comm. N.C.
Young under decree herein of October
term 1877 on the identity of the defendant
J. A. Atkins sometimes called A. A. J. Atkins
with the legatee in the will of Moses At-
kins as the son of Wm. Atkins, is the same
person as the legatee, and on, and on the
petition of Srs. Edwards admr. of Eliz-
abeth Carlsarphen, and was argued by
counsel, on consideration whereof
the Court doth adjudge, order and
decree that Geo. T. Helmer admr. of Moses
Atkins pay to C. B. Hayden atty. for
said A. A. J. Atkins sometimes called
J. A. Atkins the sum of \$83⁵⁰ with int.
on \$50⁵⁰ part thereof from 19th October
1876. And the Court doth further adjudge
order and decree that the said George
T. Helmer admr. of Moses Atkins pay
the unpaid costs of this suit.

except the cost of said report of Amr.
Green, which shall be paid by said
A. A. S. Atkins.

An abstract

Tested,

W. B. Edwards D.C.

Atkins et al

2nd day Copy
of Dece

Atkins et al

Dece 1849

June 5 1877. Received of P. J. Clarke as
Admin of Moses Atkins as of May 19th 1877 the
Sum of \$ 284.33 (Two Hundred & Eighty Six
Dollars, & Thirty Three Cents) being the sum of
\$ 52.32 $\frac{1}{2}$ with interest on \$ 49.81 $\frac{3}{4}$ from Oct 19th
1876, to May 19/1877 due each to Laura S Jones Admin
of Simon Atkinson, Martha W Eley, George W Atkins
L B. Edwards Admin of Elizabeth (Constance)
& L B Edwards Admin of Mary Ann Whitley
& Sixteen Dollars Alty. fee said tax, ~~and~~
under Decree of April Term 1877 of the Circuit
Court of the County of Wright County in the suit of
James C. Atkinson et al vs said Admin

C B Hayden Alty for
Said Parties -

March 13/88

Dr. Sir,

Upon enquiry of Mr. Nash, in
whose hands the five bills in the Moses Atkins
suit have been placed from time to time for
collection, he informs me that he thinks
all the bills, except probably some now in
the hands of Mr. W. B. Chapman to collect,
have been paid and that he thinks
Mr. Clark paid them. I have asked
him about \$2.30 which includes the
one first time.

Yours truly

J. P. Young

Youngs

In re
Moses Atkins

Juriss O. Atkins, Geo. H. Atkins fals. Dr.
1876 - L. N. F. Young, Comr. in Chy.

Decr - Making & reporting acc. to under decree
in Suit vs. Atkins adm. fals. - Time employed
20 hours.

N. F. Young, Comr.

\$ 20.00

Atkins Junius O.,
Geo. W. Fals.

\$20.00

Geo. W. Fals. to pay
by check of bank

Dec 8, 1877,
at Fals, Tex.

Junius O. Atkins, salt.

Dr.

1876- To the lck. of Isle of Wight Cir. let.

Oct. Contine: vs. Atkins -

. 36

1877-
Apr. Filing sept. 13- decem & copy. 73- lagg. & copy, costs. 50- 1.40

\$1.76

N. P. Young, lck.

Atkins J. J. & Co.
& als.

\$1.76

Nov. 1, 1877, the above
to pay on account of
credit

Dec. 8, 1877,
L. H. Hart, Jr., Esq.

1.76
2.50

4.26

1875

Nov. 20

O Alkins & Co.

Edwards, Mfg. of C. & W. Wright Co.

Dr

Exp. 5 Comm. Notices in Chy: Suit Co.

Alkins & Co.

} \$2.50

Paid

Edwards, Mfg.

Dec 23, 1877

Atkins J. C.

\$2.50

Clarke 10/6/99

C. Q. 13, C^o

J. A. Atkins et als.

Depts.

Do.

In chief.

Geo. T. Clarke admr. of J. A. Atkins et als.
Depts.

The Estate of J. A. Atkins et als.

In account with George T. Clarke admr.
with the will annexed.

1847
May

To Paid Taxes & costs of suit
as directed by decree of
Chl. 20th 1847 for receipts. } 54 68

.. Paid G. B. Hays decr atts.

for L. J. Jones admr. of J. A. Atkins

Atkins under said decr. Depts. } 52 32 1/2

" " Do. atts. for Martha W. Clay Do. } 52 32 1/2

" " Do. atts. for Geo. W. Atkins Do. } 52 32 1/2

" " Do. atts. for L. B. Edwards

adm. of Eliz. W. Carstensen Do. } 52 32 1/2

" " Do. atts. for same adm. of

Mary Ann Whitley Do. } 52 32 1/2

" " Merit Guattinger & Cherry

his wife Do. } 54 21

Aug. 5 " " Margaret Stephenson Do. } 54 65

Oct. 19 " Balance for current } 285 69

710 85

1846

Oct. 19 By Balance due est. Atkins
date per former act. fil. } 680 76

" Do. Do. of interest } 30 00

710 85

1876

Octo.

To paid C. B. Hayden atto.
for A. W. Atkins, being \$83.⁰⁰
with interest on \$50. part
thereof from Octo. 19. 1876,
less \$5. & court. fee \$4.00 shff.
for paid by adm. being costs
of ascertaining the amt. due
said A. W. Atkins, under decree
of Octo. term 1876.

92 08

1880

Apr. 20

" paid Clerk's fees since Apr.
1877 to date

6 47

Octo. 20

" amt. retained to pay the
claim of the petitioner
L. B. Edwards admr. of
Elizth Carstarphene

48 56

" do. retained to pay court
for this act. reporting

5 00

" do. do. shff. for aming, notices

50

" "

" Balance per contra

133 08

1877

Octo.

By Balance at this date

285 69

\$ 285 69 \$ 285 69

1880

Octo. 20

Balance for distribution

\$ 133 08

An account of the demand of the petitioner L. B.
Edwards admr. of Elizabeth Carstarphene.

Debt by bond due 1. Aug. 1857 for

20.00

Int. thereon to 20. Octo. 1880

28 56 \$ 48 56

Commissary Officer, City of New York, N. Y.
Sept. 1st 1880

To the Circuit Court of said County.

Pursuant to a decree of the said court rendered on the 20th day of December 1879 in a suit in chancery therein depending between J. Q. Atkins et al., plaintiffs and Geo. S. Clarke admr. with the will annexed of John Atkins decd. et al., defendants, directing a commissary of the court to take truth & further record of the transactions of Geo. S. Clarke as the admr. of said John Atkins decd., a distributed account of the amount due the legatee of said John Atkins decd. And an account of the debt due the petitioner L. B. Edwards admr. of Elizabeth Carstarphen decd. Your commissary reports to the court that, on the 15th day of Decr. 1879, he issued notices to the parties pth. & dfts. that he had fixed upon the 9th day of Feb'y. 1880, to take truth, at his said office, the accounts so required. Which notices were duly served. That on the day so fixed upon, the parties not appearing, your commissary continued the taking of said accounts, and they remained continued from time to time until the date of this report, when the necessary statement and vouchers having been laid before your commissary, he examined the same & made the foregoing acct. &c. which shows

Atkins et als.

vs. J. In chf.

Atkins et als.

Report and docket entry
Octo. 1879.

Filed Sep. 10th 1880.

that, after paying the debt due to the Petitioner or Constabularies' admr., which by act. B. is shown to be \$48.56 on the 20th of Octo. 1880, and is charged in acct. A. as being retained by the admr. to be paid, there will be left in the hands of the said Admr. H. D. Clarke the sum of \$133.08 on 20th Octo. 1880. to be distributed, less any unpaid costs, to the legatees aforesaid, who are the same parties to whom general distribution was made by the said admr. under the former decree of Apl. 1877. Given under my hand as a commissioner of said circuit court, the day & year first aforesaid.

J. D. Spring court.

Copy, fee . . . \$5.00
sub. 50
\$5.50

Commissioner's Office,

Isle of Wight Co. Va., Dec. 15th 1879.

Jos. A. Atkins, Arch. Atkins, Martha W. Clay, Miss
 Geo. Atkins & Chas. his wife, Geo. Watkins & L. B. Edwards
 as adms. of Elizabeth Carstarphen & of Mary E. Whiting & of
 David A. Atkins & Co. Plaintiffs
 and to Geo. T. Clarke admr. with the will annexed of Mos. Atkins &
 Laura S. Jones as adms. of Lewis Atkins decd; Margaret
 Stephens & J. B. Atkins decd & A. A. Atkins, Madison Edwards &
 Susan McKim wife & L. B. Edwards & adms. of H. Atkins Defendants:

You are hereby notified that I have fixed upon the 9th day
 of February, 1880, to take and settle, at my office aforesaid,
 the following accounts, to wit: A further account of the
 transactions of George T. Clarke as the administrator
 of said Mos. Atkins. A distributive account
 of the amount due the legatus under the will
 of Mos. Atkins decd. And an account of the
 debt due the petitioners L. B. Edwards administrators
 of Elizabeth Carstarphen.

Required to be taken by a decree of the Circuit Court of Isle of Wight County, ren-
 dered on the 20th day of October, 1879, in a suit in
 Chancery depending in the said Court, in which you are parties, plaintiffs and
 defendants; at which time and place you are required to attend.

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

A. J. Young Commissioner.

Atkins J. O. et als.

vs. ¹/₂ Comm.
Notes

Atkins Moses adm. et als.

To 9th Feb. 1880.

Executed Jan 28. 1880.

R. A. Edwards Depy. for
L. B. Edwards Shff.

James is acknowledged by me as counsel for
all the parties, plaintiffs & defendants. except the J. O. Atkins
C 73 147 de MS

In the Circuit Court of Newfryght
County - October 20th 1849.

Junius A. Pettus et al.

Plffs

v J. L. Shy

Moses Pettus admr. chas

Deft

And the Court doth further adjudge
order and decree that a Commr.
of this Court take a further acct.
of the trans actions of said Geo. T. Clarke
as admr. of Moses Pettus, and a
distribution acct. showing the acct.
and the legacies under the will
of Moses Pettus. And an account
of the debt due the petitioner J. B.
Edwards admr. of Elizabeth Learster.
John.

An abstract

Teste,

W. A. Edwards D. C.

Altius adur. R

✓ } Sunday
✓ } Copy Dec.

Altius et al

Act. letter 1849

" Notice of 15th Dec/79
to 9 Feb. 1880.

W. Hayden also

for acts

Amounts paid by S. T. Clarke Admr of
Moses Atkins under the decree of the
Circuit Court of Isle of Wight County
of April Term 1877, in suit of Atkins
et al v Moses Atkins Admr et al

1877	Paid Taxed Costs of suit per De- -cree	54 68
May 19	Paid C. B. Hayden Atty for Laura S Jones Admr of Simon Atkinson	52 32 1/2
	Pd do Atty for Martha W Eley	52 32 1/2
	" " Geo W Atkins	52 32 1/2
	" " L. B Edwards Admr of Elizabeth Carstarphen	52 32 1/2
	Pd same Atty for same Admr of Mary Ann Whitley	52 32 1/2
May 10	Pd Merit Swaltney and Cherry Swaltney	54 21
Aug 6	Pd Margaret Stephenson	54 65
		<u>\$425 16 1/2</u>

To the Honorable George T Blow Judge of the Circuit
Court of Isle of Wight County;

The undersigned Admr with
the will annexed of Moses Atkins decd, respect-
fully reports to the Court, that pursuant to the
annexed decree of said Court of April Term 1877
in the suit of Atkins et al v Moses Atkins Admr et al
he has made the payments of the amounts and
dates respectively shown above, amounting to
\$425.16 1/2 Four Hundred and Twenty Five Dollars
and Sixteen and One half Cents. The payments
made by your Administrator, & charged as above
are all the payments directed by said decree, ex-
cept the one to L. B Edwards Admr of J. S. Atkins,
as to whom there was evident error & therefore
the payment of the same was suspended un-

til the said error could be investigated.

This has since been done by a subsequent decree in said suit payment of the same directed which your Administrator has paid as shewn by his report of such payment filed in this cause

18 . The receipts for the above payments are all herewith filed except for some of the Clerks Tickets which have been mislaid, but as appears by the annexed letter from the Clerk Mr N. P. Young they have all been paid.

All of which is respectfully submitted.

March 13th 1880.

Signed

Geo. J. Colard

Atkins et al

v

Moses Atkins Admr

Report of Admin
under Decree of
April Term 1877

March 13th 1880 filed

Isle of Wight Circuit Court, April 20th 1877.

Junius A. Atkins, Archer Atkins, Martha Hemen
Eley; Merit Guadalupe and Cherry his wife.
Exec. W. Atkins, L. B. Edwards admr. of Elizabeth
Carruthers, L. B. Edwards admr. of Mary Ann
Whitley decd. L. B. Edwards admr. of David
A. Atkins. Pltffs.

Against J. In Chy.

George T. Clark admr. with the will annexed
of Moses Atkins decd. Burbin Jones admr.
of Simon Atkins decd. Margaret Stephens,
Joseph Stephens, J. S. Atkins, Madison
Edwards and Susan his wife. Defts.

This cause this day came on to be again
heard on the papers formerly read, and on
the report of Court. N. P. Young under the
decree herein of October term 1875, and was
argued by counsel, on consideration whereof
the Court confirming so much of said
report as relates to the transactions of said
G. T. Clark as admr. ^{with the will annexed} of Moses Atkins decd. as to
which no exceptions were filed, and it appearing
to the Court that the legacy of \$50.00, with
interest allowed in said account to Martha
H. Eley, formerly Atkins, was revoked by
the will to the wife of said Moses Atkins.
The Court doth therefore reject so much of

said account as allows said legacy, &
of all other parts of said account affected
by said allowance, and doth adjudge
order and decree that the distributive acct.
in said report be reexamined to a comr.
of this court for restatement, and the
court doth further adjudge order and
decree that said L. B. Clark out of
the sum of \$710.⁸⁵ with interest ^{on} \$680.⁷⁵
part thereof from the 19th day of October 1876.
shown to be in his hands as comr.
of Moses Atkins decd. by the report aforesaid,
first pay the costs of this suit, &
then pay to L. B. Edwards comr. of J. S. Atkins
\$83.⁰⁰ with interest on \$50.⁰⁰ part thereof from
the 19th day of October 1876, to Laura S. Jones
comr. with the will annexed of Simon
Atkins to Martha H. Eley, to Cherry Swartz
Margaret Stephenson, Rev. Th. Atkinson, to L. B.
Edwards comr. of Elizabeth Christopher
and to L. B. Edwards comr. of Mary
Ann Whitley, each the sum of \$52.^{32 1/2}
with interest on \$49.^{81 3/4}, part thereof
from the 19th day of October 1876. (The
said sum of \$52.^{32 1/2} being 1/2 of the
said balance in the said comr. hands,
after deducting the preferred legacy
to J. S. Atkins.) the said comr. shall

take the receipts of the parties for said payments, and return the same to court with his report of his proceedings under this Decree. And the court doth further adjudge order and decree that a comrs. of this court shall ascertain and report to court, how the balance remaining in said admsr. hands, after making the payments herein directed, shall be distributed among the legatees under the will of said Moses Atkins.

A copy
Teste,

Costs of Suit to & including

April term 1847.

Atto. fee & writ tax \$16.00. Paid C. B. Hayden

Clerk County Court 1.65

Clerk Cir. Court 7.53

Shff. J. O. Wright 1.50

Do. Barry .50

Comd. of Accts. Co. et. 1.50

Comd. in Clk., (Hwy), 20.00

\$54.68

W. A. Edwards D.C. for

A. S. Young clk

Atkins account
of Jacobus Corpse
received of Atkins
June 1, 1877

Atkins et al

May 10th 1877 Received of Messrs. Atkins administrators
(res. D. Clarke) fifty four dollars and twenty cents
being amount directed to be paid me
under the within decree

Kevin Gunning
Henry & Gwalne,
attorneys

Aug 6th 1877 Received of Mrs. D. Clarke administratrix of Messrs.
Atkins dec^d fifty four dollars and sixty five cents in
full of ~~my~~ amt directed to be paid me under the
within decree

Witness
J. H. Whitley

^{per}
Margaret T. Stephenson
^{per}

1881,

Geo. D. Clarke adm. of fellow Attkins D.
to N. P. Young com. in clay. cir. et. I. of style

Sept.

To issuing notice making reporting
further act. of your transactions
under review of com. t. acc? - \$ 5.00

Dated,

N. P. Young com

Clarke Geo. T. advnc.
of man's affairs
\$5.00

Paid by C. T. B.
Hayden, atty.,
for Clarke
J. T. B. King

\$186,25

Received of G. T. Clarke Admr
 of Moses Atkins One Hundred and
 Eighty Five Dollars and Twenty Five
 Cent amount due by him un-
 der the decree of Oct Term 1880
 in the suit of Atkins & also for Moses
 Atkins Admr & also, being the amount
 due the several parties named in
 said decree as follows.

Elizabeth Castarphen's Admr	#4969
L. B. Edwards Sheriff	.50
James Young	5.00
Simon Atkins Admr	18.58
Martha W. Eley	18.58
George W. Atkins	18.58
Elizabeth Castarphen's Admr	18.58
Mary Ann Whittier Admr	18.58
Henry Swallow	18.58
Margaret Stephenson	18.58

\$186.25

C. B. Hayden

Atty for above parties

Received of G. T. Clarke through C. B. Hayden
 Five Dollars, Commission fee in Atkins
 as Atkins named in decree of Oct 1880 -
 J. P. Young

To the Honorable George Blount Judge
of the Circuit Court of Isle of Wight County.

The undersigned G. F. Clarke
Admr of Moses Atkins deceased re-
spectfully reports to the Court that
pursuant to the annexed decree
of said Court of Oct Term 1889,
in the suit of Atkins Admr vs
Moses Atkins & als that on the 29th
day of September 1881, he paid to
the parties named in said
decree the amount respec-
tively due them as shewn by State-
ment A herewith annexed.

That from the sum of \$140.58
the balance in your Admr's hands
after paying the debt due Eliz-
abeth Carstarphen & the costs
named in said decree, he
deducted the sum of \$10.52
and reserved the same to pay
the taxed costs in the suit, leav-
ing a balance in his hands of
\$130.06, which pursuant to said
decree he paid equally to the
seven legates named in said
decree, making \$18.58 each.

The total sum paid out un-
der said decree was \$186.²⁵
as shewn by Statement "B,"
herewith annexed, being the
whole amount due under

1 said decree except the un
2 paid costs of suit.

3 The receipts of the parties
4 for said payments are herewith
5 filed.

6 All of which is respectfully submitted
7 Oct 10th 1881.

Geo. T. Clarke

Stilwell's vol.

Stilwell's' Accts vol.

Report of G. T. Clarke
Adm'r of Moses Stilwell
under Decree of Oct
9th 1880

Octo. 10th 1881

Filed.

In the Circuit Court of Iowa
Bright County - Oct. 21st 1880.

J. O. Atkins et al.
vs J. B. Edwards.

Beff

Moses Atkins et al.

Def's

This cause this day came on to be again heard on the papers formerly read & on the reports of G. B. Clarke, administrator of Moses Atkins deceased, of payments under the decree herein of April term, 1877, & of October term 1879, & on the report of Commissioner A. P. Young, under the decree herein of October term, 1879, & was argued by counsel; on consideration whereof it being suggested to the court that Hunt G. Mallory has departed this life since the institution of this suit, the court confirming said reports, to which no objections were filed, doth adjudge, order & decree that the said G. B. Clarke, out of the assets of his said decedent, Moses Atkins, if any he has ——— if not out of his own proper estate, pay to L. B. Edwards, administrator of Elizabeth Carstarphen, the sum of \$48.56, with interest from the date of this decree on \$20.00 part thereof, to A. P. Young a commissioners fee of \$3.00 & to L. B. Edwards, Sheriff fifty cents as charged in

said account & that he pay the sum of \$133.08
 after first paying thereout the unpaid costs of
 this suit equally between L. S. Jones, adminis-
 trator of Simon Atkins, deceased, Martha
 W. Ely, George W. Atkins, L. B. Edwards,
 administrator of Elizabeth Carstarphen,
 L. B. Edwards admr. of Mary Ann Whitley &
 Cherry Smalley, widow of the said Muriel
 Smalley & Margaret Stephenson or 1/7 each,
 taking the receipts of said parties therefor
 & return the same to court with his
 report of his proceedings under this decree.

A copy Teste

W. A. Edwards D.C.

Unpaid costs including estimate for final decree.

Chs. fees	4.76	
Comp. in chg. (Jury)	5.00	
clerk		Paid L. B. Edwards
	\$10.76	
cont. app. 57.	7.36	
	<u>\$10.52</u>	

Atkins et al.

Wm. Ely
 & Copy etc

Atkins et al.

October 1880

Ex. cert.

Mr. Harper

Statement A

Elizabeth Carstarphen's Admr	48 56	
Int on \$20.00 from Oct 21 st 1880, to Sep 29, 1881.	1 13	49 69
L. B. Edwards Sheriff	50	
H. O. Young Comis fee	5 00	5 50
Payment directed by Decree of Oct Term 1880.	133 08	
Int on \$133.08, from Oct 21. 1880 to Sep 27 1881. (time 11 m & 8 d)	7 50	140 58
		<u>\$195 77</u>

Statement B

Am't of payment, directed by Decree of Oct Term 1880, with Interest as above	140 58	
Deduct taxed costs	10 52	
	130 06	
L. S. Jones Admr of Simon Atkins		18 58
Martha W. Eley		18 58
Geo. W. Atkins		18 58
L. B. Edwards Admr of Elizabeth Carstarphen		18 58
L. B. Edwards Admr of Mary Ann Whitley		18 58
Cherry Swatney		18 58
Margaret Stephenson		18 58
	<u>\$130 06</u>	<u>\$130 06</u>

1875,
Feb:

L. B. Edwards Shff: admr: of D. H. Atkins
Solelshaf Seley Wright Lea, let, & Comd Dr.
Comm'tg. est. to your hands on
Motion of J. O. Atkins
Registering fiduciary It, D, Young, etc. } 50¢
\$1.00

Edwards L. B. Suffolk

50^c

1875
Feb 7:

L. B. Edwards Shff: admrd. L. B. of Elizabeth barstapfen
Foleck of Lale of Wight & Co. Let. Hmd. est. Dr.
Commty. est. to your hands on motion of }
J. O. Athinson per atto. }
Registering fiduciary N. D. Young, lllb \$1.00 }
+ Court }
55¢

Edwards L. B. Shff 40

.50

The bells to be in-
cluded as part of
the cost in making
The Bill of cost.

Atkins & als.

(18)

G. T. Clarke Admin of
Mores Atkins & als.

This came in which it is
suggested that since the filing of the Bill, the
defendant Benin Jones admin of Simon Atkins
& Joseph Stephens, have departed this life,
& that Laura S. Jones has qualified as
his admin with the will annexed of said Simon
Atkins, & that J. S. Atkins has not been heard from
for more than seven years & that his estate has
been committed to L. B. Edwards Sheriff of this
County for administration, it is ordered that this
suit be carried on against the said Laura S.
Jones as admin — with the will annexed of
said Simon Atkins & L. B. Edwards admin of
said J. S. Atkins as defendants by consent of
said Laura S. ^{Jones} & L. B. Edwards, & in
which the Bill is taken for confessed as to the
defendants G. T. Clarke as admin with the will
annexed of Mores Atkins dec'd Margaret
Stephens, Madison Edwards & Susanah his
wife, on whom process has been duly served they
still failing to appear filed answer & demurrer,
This day came on to be heard on the complainant's bill
Exhibits filed & was argued by counsel, on
consideration whereof the court doth adjudge order
& decree that a commissioner of this court take the
following of —
1st —
An ~~affidavit~~ account of the transactions of G. T. Clarke
as administrator with the will annexed of
Mores Atkins dec'd —

2nd

An account shewing the amount due the
respective legacies under the will of said Moses
Atkins, which account he shall take settle report
to court with any matters specially stated deemed
pertinent by himself or required by the parties to be so
stated -

Atkins 10th

21

G. T. Clark Adm

Moses Atkins

Rough drawn

Oct Term 1873

To be entered

Geo. T. Clark

Entered 25

J. B. Atkins & Co.

14

Moses Atkins Admin et al.

This cause
This day came on to be again heard
on the paper formerly read & on the
report of Commissioner P. Gormy
under the decree herein of October
Term 1875, was argued by counsel
on consideration whereof the court
confirming so much of said report
as relates to the transactions of said G. J. Clarke
as Admin with the will annexed of
Moses Atkins dead, as to which no
exceptions were filed, and it appearing
to the court that the legacy of \$50.00
with interest allowed in said account
to Martha W. Eley ^{formerly Atkins} was revoked by the
codicil to the will of said Moses Atkins, the
court doth therefore reject so much of said
account as allows said legacy & of
all other parts of said account affect-
ed by said allowance & doth adjudge
order & decree that the distributer account
in said report be re-committed
to a Commissioner of this court for
restatement. And the court doth
further adjudge order & decree that
said G. J. Clarke out of the sum of
\$710.83 with interest on \$580.76 part
thereof from the 19th day of October 1875.
Shewn to be in his hands as administrator

of Moses Atkins dead by the report
aforesaid, first pay the costs of this
suit & then pay to L B Edwards
Administrator of I S Atkins $\$83.00$
with interest ~~on~~ $\$5000$ part thereof
from the 19th day of October 1876 - to Laura
S Jones adm^r with the will annexed
of Simon Atkins, to Martha W Eley,
to Cherry Swallow, Margaret Stephen &
George W Atkins & to L B Edwards
Adm^r of Elizabeth (as orphan) & to L B
Edwards Adm^r of Mary Ann Whitley
each the sum of $\$52.32\frac{1}{2}$ with interest
on $\$49.81\frac{3}{4}$ part thereof from the 19th day of
October 1876 (the said sum of $\$52.32\frac{1}{2}$
being $\frac{1}{12}$ of the said balance in the ^{said} Admin^r
trator's hands after deducting the proposed
legacy to said I S Atkins) The said
Administrators shall take the receipts
of the parties for said payments &
return the same to Court with
his report of his proceedings under
this decree - And the Court doth
further adjudge order & decree that
a commissioner of this Court
shall ascertain report to Court
how the balance remaining in
said administrators hands

after making the payments herein
directed shall be distributed
among the legatees under the
will of said Moses Atkins -

Atkins

15

Atkins adult
et al -

Rough Ocean
April Term 1877

to be entered

Geo. B. Lord.

83-

We cannot to the
within Ocean -

Geo. D. Clarke
assumed

C. B. Hayden

conceded for other parties

Entered 14

Atkins et als

vs

Atkins Admin et als

This Cause this day came on to be again heard on the papers formerly read on the Answer of J. D. Atkins, sometimes called A. A. S. Atkins, this day filed by consent of the Court, on the petition of L. B. Edwards, admin of Elizabeth Carstarphen and was argued by Counsel, on Consideration whereof the Court doth adjudge, order and decree, that

it appearing to the Court, that by mistake, L. B. Edwards, as admin of J. D. Atkins, instead of as admin of Joseph H. Atkins, was made a party to this suit, it is ordered that this suit be dismissed as to L. B. Edwards, admin of J. D. Atkins, and by consent of the said L. B. Edwards, as admin of Joseph H. Atkins, it is ordered that he be made a party defendant to this suit, and by like consent, that it proceed against him as such administrator. And it is further ordered that so much of the decree herein of April term, 1877, as directs the payment of \$83.00, with interest on \$50.00, part thereof from the 19th day of October, 1876, be set aside and that the said amount be paid to the said J. D. Atkins, sometimes known as A. A. S. Atkins or A. A. Atkins, or his Attorney.

And the Court doth further adjudge, order
and decree, that a Commissioner of this
Court take the following accounts:

1st A further account of the transactions of George
T. Clarke, as admin with the will annexed, of
Moses Atkins, deceased;

2^d An account of the amounts due the legatees,
under the will of Moses Atkins, after deducting
the payments heretofore made them, which
accounts he shall take, settle and report to
Court with any matters specially stated, deemed
pertinent by himself, or required by the parties
to be so stated

Atkins et al

vs

Atkins admin et al

Rough Decree

October Term, 1877.

To be entered

Geo. B. Lord.

Entered 33

And the Court doth further adjudge order & decree,
that a Commissioner of this Court inquire & report to
Court, whether the said defendant who answers in this day
filed, is the same person as the legatee named in the
5th clause of the will of Moses Atkins or the grandson
of said testator, son of William Atkins a deceased son
of said testator.

Ile of Wigham cir. Ct. Octo 23^d 77.

Atkins et al
vs Jones

Peet

Atkins admr. et al.

This cause this day came on to be again heard on the papers formerly read, on the answer of J. S. Atkins, sometimes called A. A. S. Atkins, this day filed by consent of the Court, on the petition of L. B. Edwards admr. of Elizabeth the executrix.

And was argued by counsel, on consideration whereof the Court doth adjudge order and decree that

it appearing to the Court that by mistake L. B. Edwards as admr. of J. S. Atkins, instead of as admr. of Joseph S. Atkins, was made a party to this suit, it was ordered that this suit be dismissed as to L. B. Edwards admr. of J. S. Atkins, and by consent of the said L. B. Edwards admr. of Joseph S. Atkins, it is ordered that he be made a party defendant to this suit, and by like consent that he proceed against him as such admr.

and the Court doth further adjudge order
and decree that a Commission of this
Court enquire and report to Court
whether the said defendant, whose answer
is this day filed, is the same person as
the legatee named in the 5.th Clause
of the will of Moses Atkins, as the grand-
son of the said testator, and son
of Mrs. Atkins aforesaid, son of said
testator.

A copy

Teste.

M. A. Edwards D.C. for.
J. P. Young cler.

Atkins et al
vs { the Chy. Copy
of the Acts, l. 11. 77

" Atkins et al vs

" A copy "

" Notice issued 21st May.
to 8th March 1898.

for a copy to

Atkins et al

James Atkins

Atkins & Atkins

Atkins & Atkins

This cause this day
came on to be again heard on the
papers former read & on the report
of Commissioner N P Jones
under the decree herein of Oct 1876
on the validity of the defendant -
J S Atkins, sometimes called H. S. Atkins
with the legatee in the will of Moses
Atkins as the son of Wm Atkins, is
the same person as said legatee
& on the petition of L B Edmunds Adm
of Elizabeth Canstapher - I was argued
of counsel, on consideration where-
of the court doth advise, order & decree
that ^{Administrator of Moses Atkins} George T. Clarke pay to C B. Haden
Att for said A. S. Atkins sometimes
called J S. Atkins the sum of \$ 83.00
with interest on \$ 50.00 part thereof
from the 19th day of Oct - 1876 -

And the court doth further advise
order & decree that a commissioner of
this court take a further account of
the transactions of said G. T. Clarke as
Administrator of Moses Atkins
& a distributee of the same
the amount due the legatee
under the will of said
Moses Atkins & an ap of
the debt due the petitioner L B Edmunds

Atkins v. S.

in

Atkins v. S.

Adm Elizabeth (Catherine) Thos
Sent P. J. Clarke Adm of Thos
Atkins for the unpaid costs of his
suit except the costs of said Report
of Commissioners Jones which
shall be paid of said A. S.
Atkins -

Rough Decree

Dec Term 1879

To be entered

Geo. W. Blod,

Entered 22

X^d.

Atkins et als

1 no

2 Atkins et als.

3 This Cause this day came on to be
4 again heard on the papers formerly read & on the
5 reports of Cy J. Clarke, administrator of Moses Atkins,
6 deceased, of payments under the decrees herein
7 of April term, 1877, & of October term, 1879,
8 & on the report of Commissioner M. P. Young,
9 under the decree herein of October term, 1879,
10 & was argued by Counsel; on Consideration whereof
11 it being suggested to the Court - and ~~the Court~~ ^{the Court} ~~being~~ ^{being} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~case~~ ^{case} ~~that~~ ^{that} ~~the~~ ^{the} ~~Court~~ ^{Court} ~~confirming~~ ^{confirming} said reports, to which
12 no objections were filed, doth adjudge, order
13 & decree that the said Cy J. Clarke, out of the
14 assets of his said testator, Moses Atkins, if any
15 he has ——— if not out of his own proper
16 estate, pay to L. B. Edwards, administrator of Elizabeth
17 Carstanphen, the sum of \$48.56, with interest from
18 the date of this decree on \$20.00, part thereof;
19 to M. P. Young a Commissioner a fee of \$5- & to L. B.
20 Edwards, Sheriff fifty cents as charged in said
21 account, & that he pay the sum of \$133.08, after
22 first paying thereout the unpaid costs of this
23 suit equally between L. B. Jones, administratrix
24 of Simon Atkins, deceased, Martha M. Eley,
25 George M. Atkins, L. B. Edwards, administrator
26 of Elizabeth Carstanphen is ^{L. B. Edwards, ady' of} Mary Ann Whitley,
27 ~~the said Cy J. Clarke~~ ^{the said Cy J. Clarke} & Cherry ^{his wife}, & Margaret
28 Stephenson or if each, taking the receipts of
29 said parties therefor & return the same to
30 Court with his report of his proceedings
31 under this decree

+ repaid this life seven the in settlement of
this sum

Atkins & Co

100

Atkins & Co

31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

Rough Decree,
October term, 1880.
To be entered

Geo. H. Wood.

~~Must Geo. H. Wood be deposed.
Should not be deposed
deposed for the
reason being July 5~~

Ante 31

Atkins et al

vs

Atkins Moses Admr et al

This cause this day came on to be again heard on the papers formerly read and on the report of payment of B. P. Clarke Admr of Moses Atkins under decree of Oct Term 1880, & was argued by counsel, on consideration whereof the court confirming said report & to which no exceptions were filed doth adjudge order and decree that said B. P. Clarke pay the ^{unpaid} costs of this suit de bonis propriis, & that this suit be removed from the docket nothing further remaining to be done herein.

Atkins sale

vs

Atkins Barn

[42]

Final Decree

Oct Term 1881

To be entered.

Geo W. S.
[unclear]

Entered No. 8

Commissioner's Office,

Smithfield,

185

To the Creditors of the Estate

of

and all others concerned:

You are hereby notified, that, at the request of

I have appointed the day of next, at my Office, for receiving
proof of debts or demands against the said decedent or estate, at which time and place you
are required to attend.

Given under my hand, as Commissioner of the County Court of Isle of Wight County, the day and
year first aforesaid.

C. B. HAYDEN.

Commissioner's Office,

Smithfield,

185

To the Creditors of the Estate

of

and all others concerned:

You are hereby notified, that, at the request of

I have appointed the day of next, at my Office, for receiving
proof of debts or demands against the said decedent or estate, at which time and place you
are required to attend.

Given under my hand, as Commissioner of the County Court of Isle of Wight County, the day and
year first aforesaid.

C. B. HAYDEN.

Atkins & Co

25

At the order of
of Messrs Atkins & Co

Exhibit with
complaint Bill

S. Moses Atkins of the County of Selcof Wright
and State of Virginia, do hereby make my
last will, testament in manner and form
following namely.

1st I desire that all the perishable part of my es-
tate be immediately sold after my decease, and
out of the monies arising there from, all my
just debts and funeral expenses be paid,

2nd I hereby direct my Executor hereafter named
to sell all my real and personal estate, without
any order of Court so to do, to the best advantage,
and the monies arising from the sale I hereby
dispose of in the following manner, viz:

3rd I give to my son Jurens C. Atkins three hun-
dred dollars, provided I recover the money which
my last wife heird from her Aunt Mary Bond
decd: - Otherwise this specific legacy is not to be
paid: - My son Jurens will get his propor-
tion of this money should the suit now pending
be decided against me, and in favor of my
last wife's heirs at law,

4th I give to my son Richd Atkins one hundred
dollars over and above the rest of my child-
ren hereinafter named, for the purpose of send-
ing him to school; then an equal share of
my estate with the rest of my children,

5th I give to my grand son J. S. Atkins son of
my deceased son W^m Atkins fifty dollars

- to him and his heirs forever,
- 6th I give to my daughter Martha Whinn fifty dollars, besides an equal share in the rest of my estate, to her and her heirs forever,
- 7th The balance of my Estate or the monies arising from the sale thereof I desire to be equally divided between all my children, to wit: Cherry Luzzney, wife of W^m Luzzney, Simon Atkins, Mary Ann Whitley wife of Jesse Whitley, Elizabeth Carpenter widow of Thomas W. Carpenter, Lucretia Edwards wife of Madison Edwards, Margaret Stephens wife of Joseph Stephens, George W. David Atkins, Joseph H. Atkins, Francis Atkins, Martha W. H. Atkins, and Francis Atkins, them and their heirs forever,
- 8th Should my son Francis die before he arrives to the age of twenty years I desire that his proportion of my estate should be equally divided between all my children and before named so as to exclude his half brother Robert and John Holliman from any portion of my estate,
- 9th I appoint John C. Adams testamentary guardian to my son Francis, and desire that he shall educate him, as far as his means will allow, and then get him in business,
- 10th and lastly, I constitute and appoint my son Simon Atkins Executor of this my last will and testament, and give him the sum

1 or 1/2 of Atkins Estate
about 1000 dollars
value of 11/2

of 40 Dollars in lieu a Commission
for the sale, division and final settlement
of my estate,
In Witness whereof I have hereunto set my
hand and affixed my Seal this 17th day
of September in the year Eighteen hundred
and fifty two, Moreland T. Pinn, Esq.

signed sealed and
acknowledged in the
presence of

J. M. Jordan
by ^{his} Thomas X. Gwaltney
Robert S. F. Holliman

Whereas, Moreland T. Pinn of the County of Lee
of the State of Virginia have made and
 duly executed my last will and testament in
writing, bearing date the 17th day of September
1852. Now I do hereby declare this present
writing to be a codicil to my said will, and di-
rect the same to be taken as part thereof, and
I do hereby revoke and annul the 4th and 6th
items of said will, giving specific legacies
to my son Archer and daughter Martha Wren
thereby placing them upon an equality with my
other children in the distribution of my estate,
and I do hereby revoke all former and other codi-
cils by me made at any time heretofore, In
Witness whereof, to this present writing, which

I hereby declare to be a Codicil to my last will and Testament bearing date the 17th of September 1852, and which I direct to be added thereto, and to be taken as part thereof I have set my hand and seal this 25th day of November 1853.

Signed Sealed published
and delivered by the said
Moses Atkins a and
for a Codicil to his last
will and testament in
presence of

Moses Atkins, Seal

A. M. Jordan,
Thomas M. Latimer,

On the County Court of
Elk & Wright County, August 1st 1864, the last will
and testament of Moses Atkins decd. was proved in part
by James M. Jordan one of the subscribing witnesses
thereto, and the Codicil thereto being likewise proved in
part by the same witness, the said will and codicil are contin-
ued till fully proved. And on the 5th day of September 1864,
the Codicil to the said will was fully proved by the oath of
Thomas M. Latimer and ordered to be recorded, and on the
7th day of November 1864 the said will was fully proved
by Thomas Swallow, a witness thereto, and ordered to be re-
corded.

Teste, W. P. Young, C. C.
a copy, Teste, C. A. Hart, D. C. for
W. P. Young, C. C.

Moses Atkins'

Will.

a copy

Exhibited

Inventory and appraisal of the Estate
of Moses (the deceased); made this 16th
day of June 1864,

Gal of peas 50¢ barrel + vinegar 50¢	100 00
Wool saddle 20¢, coffee mill &c 2 ¹¹ / ₂ ^{4.45.00}	22 00
Open head co barrels @ 2 ¹¹ / ₂ 4 ¹¹ / ₂ Bbls, Corn @ 175¢	847 50
Sub & contents 20¢ Stand & contents 3 ¹¹ / ₂	28 00
Spade, hames, Steel yard, Cans, &c 25 ¹¹ / ₂	25 00
Hand saw & cart gear. 5 ¹¹ / ₂	5 00
Bbl. lime @ 4, barrel + vinegar 5 ¹¹ / ₂	54 00
Steer cart wheels 25 ¹¹ / ₂ Cart wheels 50¢	75 00
Lot of plows & harness 10¢ Iron Kettle 5 ¹¹ / ₂	15 00
Grindstone 10¢ Oat cutter 20¢	30 00
1 plow, barrel & kegs 35 ¹¹ / ₂ Oat cutter 30 ¹¹ / ₂	65 00
Steel 200¢ Lot of shoes & shovels 25 ¹¹ / ₂	225 00
Large pot, jug &c 20 ¹¹ / ₂ Lot of salt 35 ¹¹ / ₂	55 00
Cup & tray &c 2¢ meal bag 2 ¹¹ / ₂	9 00
13 ¹¹ / ₂ lbs. Wool @ 5 ¹¹ / ₂ ^{67.50} two baskets 1 ¹¹ / ₂	68 50
Cards, old tin ware, tray &c 2 ¹¹ / ₂	2 00
Lot of trays, tubs, table coffee pot 15 ¹¹ / ₂	15 00
1 st Page —	
Gardens & stands 20 ¹¹ / ₂	20 00
3 spinning wheels 35 ¹¹ / ₂ Wrecker 1 ¹¹ / ₂	36 00
Lot Cooking tools 20 ¹¹ / ₂ Table &c 2 ¹¹ / ₂	77 00
Ash guns, & fishes &c 5 ¹¹ / ₂ 10 Sheep 200 ¹¹ / ₂	205 00
10 Shovel 400¢ Brass kettle 30 ¹¹ / ₂	420 00
Bowls, dishes & strainer &c, 15 ¹¹ / ₂	15 00
Total, carried over	

And, brought over

102 lbs. $\frac{1}{2}$ tea (a 15 $\frac{1}{2}$ per cwt.)	23 30
Cythes shells 2 $\frac{1}{2}$ low caly 200 $\frac{1}{2}$	202 00
Lot of Chairs 50 $\frac{1}{2}$ long, & 40 $\frac{1}{2}$ 10 $\frac{1}{2}$	60 00
low. bucket & basin 5 $\frac{1}{2}$ from kettle 5 $\frac{1}{2}$	10 00
Lot of stone ware 25 $\frac{1}{2}$ Claviron 10 $\frac{1}{2}$	35 00
Handicrafts, bottles 10 $\frac{1}{2}$ lot Car. 100 $\frac{1}{2}$	105 00
Soap, Castor 10 $\frac{1}{2}$ Tin safe 25 $\frac{1}{2}$	33 00
Lot of Crocheting ware, Knives, forks, &c 60 $\frac{1}{2}$	60 00
2 Boxes. Leather, dried apples 10 $\frac{1}{2}$ 15 $\frac{1}{2}$	18 00
Basket wool, 2 ladies candle stands 20 $\frac{1}{2}$	20 00
Lot of table cloths & towels 25 $\frac{1}{2}$	25 00
Chest 5 $\frac{1}{2}$ desk 15 $\frac{1}{2}$ black mirror 25 $\frac{1}{2}$	45 00
Bed bedding 176 $\frac{1}{2}$ 100 $\frac{1}{2}$ 75 $\frac{1}{2}$	250 00
Lot Bed clothing 275 $\frac{1}{2}$	275 00
Shade Window Curtains 5 $\frac{1}{2}$	5 00
2 Trunks, chest, table & toilet 10 $\frac{1}{2}$	10 00

2nd Page

22 $\frac{1}{2}$ lbs. Bacon (a 10 $\frac{1}{2}$)	493 50
13 $\frac{1}{2}$ lbs. picked Cotton (a 3 $\frac{1}{2}$ 140 $\frac{50}{100}$ 2 bags, #4	44 50
Bed & Stear 50 $\frac{1}{2}$ night glass 2 $\frac{1}{2}$	52 00
Bed & Stear 75 $\frac{1}{2}$ Bed & Stear 75 $\frac{1}{2}$	150 00
Chest & scale 5 $\frac{1}{2}$	5 00
Negro Woman Domestic 500 $\frac{1}{2}$	200 00
" Man Henry 2000 $\frac{1}{2}$	2000 00
" Woman brought 3 children 4000 $\frac{1}{2}$	4000 00
" Child William 500 $\frac{1}{2}$	500 00
Silver coins 1.13 $\frac{1}{2}$ Bank notes 40 $\frac{1}{2}$	41 13

And, carried over

Inventory & appraisement
of the Estate of
Morris Atkins decd.

Copy

Exhibit
C

An Inventory of the bonds belonging to the Estate of Moses Atkins deceased, as found to in the Inventory recorded on 2nd Feby: 1865, as against the distributees of the Estate,

One bond or. Geo. W. Atkins for \$7.35 due Jan'y, 2 nd 1854	83 54
One do. or. W. H. A. Ely for 50¢ due April 9 th 1859	65 51
One do. or. Same for 50¢ due May 12 th 1859	65 28
One do. or. Geo. H. Atkins for 2.57 due Nov: 15 1854	39 35
One do. or. Same for 40¢ due July 5, 1856	59 18
One do. or. Same for 77¢ due Dec: 18 1856	112 42
One do. or. David W. Atkins for \$22.63 dated Dec: 17, 1857 payable to R. H. Whitfield assignee of W. H. Patton decd; paid by assigned to Moses Atkins	51 40
One bond or. Madison Edwards for \$2.35 due Jan'y, 5 th 1859, payable to W. P. Thompson for D. W. Atkins assigned to Moses Atkins	16 27
One bond or. Archib. S. Atkins for 40¢ due Octo, 3 rd 1860	48 88
One do. or. Same for 7.71 due Jan'y, 5 th 1857 payable to W. H. Ely assignee of W. H. Atkins; paid by Moses Atkins	11 11
One bond or. David W. Atkins for 20¢ due May 22 1856, provided on 25. Octo, 1857 with 4 th Jan 20 th Octo, 1858 with \$1.90	19 93

The above is a true inventory of bonds found in the house of Moses Atkins decd; held against the distributees, Geo. P. Clark assignee of Moses Atkins decd:

Moses Atkins decd:

5th Stamp

In the county court clerk's office, Lenoir
Wright County. June 27th 1866. This inventory
was received and admitted to record,

Teste, N. P. Young, clk.

Ucopy

Teste, C. H. Hart, D. C. for
N. P. Young, clk.

Inventory of bonds
belonging to the Estate
of Moses Williams decd

A copy

Exhibit

D

A

Dr. The Estate of Mrs. Athens dead;
On account with George F. Clarke his adm^r

cr.

1864

June 14 To paid for gr. paper for use of Estate 5 00

" 17 " Cys of property at sale of }
Chattel Estate } 50 00

" " " " lth. at said sale, (H H Womble) 50 00

Dec^r. 31 " Retained to pay W^m H. Coley for
keeping Negro woman & her
children in 1864 } 500 00

1865 " Retained to pay lth's fees estimates 20 00

Jan^y. 1 " Remitted out \$7531.35, & interest at
5% percent } 376 56

" Balance due the Estate per
Contract & Transferred to the acct.
of George F. Clarke adm^r, with
the will annexed of Moses Athens
(a will having been found) he
having qualified as adm^r thereunder } 6529 79

1864

June 16 By this sum in money found }
in decedent's House (Coulson) } 101 23

Dec^r. 31 " Hire of Negro Henry in 1864, 175 00

1865 Jan^y. 1 " Amt. of sales of Chattel property 7255 12

\$7531 35 \$7531 35

B

Dr. The Estate of Moses Athens dead;

On account with George F. Clarke adm^r, with
the will annexed of deceased,

cr.

1865

Jan^y. 2 To pay Cys at sale of Negroes under test^{or}'s will 50 00

Amt. carried over \$50.00

1865 Jan'y, 2 nd	Am't. brought over	\$ 80 00	
	To pay Commissioner's fees for acct's:	30 00	
	" " Clerk's fees	10 00	
1865 arch, 6 th	" paid Simon Atkins acct, per rec'd:	60 00	
	" 5 th of Oct, Com ^{rs} on \$19,195.00 sales of negroes on 2 nd January 1865 under will	957 75	
1866 Jan'y, 2 nd	" Balance due the Estate per Contract Confederate money	24642.04	
1865 Jan'y, 2 nd	By this sum transferred from hands of adm ^r to adm ^r , with will annexed as shown by acct. A.	6529 79	
	" Rent of land in 1864	25 00	
	" This sum from sales of negroes made under the will	19,195 00	
		\$25,749.79	\$25,749.79
1865 Jan'y, 2 nd	By balance due the Estate wholly in Confederate money		\$2,4617.04
	<u>E. Legatee account</u>		
	To amt. legacy to James B. Atkins by Testator's will	300 00	
	" " legacy to Jas. S. Atkins 50.00.	50 00	
	Total amt. legacies in gross currency	\$350.00	

D

Distributtee account of balance due on account
B. in Confederate money.

To the to pay Cherry Bury, late Ga. attorney a distributtee	2053 50 1/3
" " " " Simon Atkins do. do.	2053 50 1/3
" " " " Elizabeth Barstowphen " "	2053 50 1/3
" " " " Susanna Edwards wife of Madison do. do.	2053 50 1/3
" " " " David M. Atkins " "	2053 50 1/3
" " " " George Atkins " "	2053 50 1/3
" " " " Joseph Atkins " "	2053 50 1/3
" " " " Margaret Stephenson, wife of Joseph do. do.	2053 50 1/3
" " " " Archibald Atkins " "	2053 50 1/3
" " " " Martha W. Eley late Atkins (wife of W. H. Eley) do. do.	2053 50 1/3
" " " " Estate of Mary H. Whitley late wife of Jesse. do. do.	2053 50 1/3
" " " " Junius O. Atkins " "	2053 50 1/3
By balance on account B. bro't on	24642 04
	\$24642, 04 \$24642, 04

Commissioner's office,

Sale of Wight County, Oct. 25th 1866,

To the County Court of Sale of Wight County,

Your Commissioner reports to the Court, that on the 2nd
day of July last, George E. Clarke as administrator,
and as administrator with the will annexed of
Moses Atkins dead; exhibited before your com-
missioner statements of the money he had
received, become chargeable with or had

disbursed during the periods embraced in the foregoing accounts A. & B. together with the vouchers for the disbursements. That your Commissioner embraced the said administrator in the list of fiduciaries whose accounts were before him for settlement, which was posted at the Courthouse door of said County, on the first day of August term last, and on the date of this report (ten days having elapsed since the said list was so posted) made up and completed the foregoing account A, and finds by said account A, on the 1st day of January 1865, a balance of \$6529.79 due the Estate by the administrator, which balance is wholly in Confederate State Treasury notes, and on that day was transferred to the hands of the said administrator with the will annexed. Your Commissioner has also completed account B, and finds thereby, on the 6th day of March 1866, a balance of \$24,642.04 due from said administrator with the will annexed to the estate, All the request of the said administrator with the will annexed, your Commissioner has made the foregoing Legatee account, marked C, showing the legacies under the will of the Testator, which your Commissioner reports to be due in good currency, as the will was made prior to January 1862, and not with reference to Confederate States Treasury notes as a standard of value. And by like request, the account D, showing the distributable share due to each

one of the distributives under the will out of the balance of \$24642.04 in Confederate States Treasury notes found due by account B, At the further request of the administrator with the will annexed, your Commissioner reports further, that there are in the hands of the said administrator now uncollected the bonds of George W. Atkins for \$51.35, due 2nd Jan'y, 1854

" " Wm. H. Eley	" \$50.00	" 2 nd Apr, 1859
" " Dills	" \$50.00	" 12 May, 1859
" " Joseph H. Atkins	" \$25.00	" 15 Nov, 1854
" " Same	" \$40.00	" 5 July 1856
" " Same	" \$77.00	" 18 Decr, "
" " David W. Atkins	" \$22.03	" 17, " "
" " Madison Edwards	" \$52.25	" 5 May 1859
" " Archer Atkins	" \$40.00	" 3 Octo, 1856
" " Same	" \$7.71	" 5 Jan'y, 1857
" " David W. Atkins	" \$20.00	" 3 May 1856

Credited on 25th Octo, 1857 \$4.00 to

20th Octo, 1858 \$3.90

Which were found in the testator's house at his death, There was also found in the house the bond of John J. Holloman for \$260,00 payable on the 22nd January 1850, upon which suit has been instituted in the Circuit Court and judgment rendered in favor of the defendant, And that there are likewise in the hands of the said administrator with the will annexed the following sales bonds and accounts, based upon Confederate States Treasury notes as a standard of value, and comprising

part of the balance aforesaid found on account Pd.
As wit: Wm E. Allen's bond for \$ 25 00

Same " " 392 41

Benja H. Gray & J. L. Gray " " 14 25

J. L. Gray & B. J. Gray " " 619 75

Jesse Whitley & J. L. Stephenson " " 277 60

Archer Atkins, for Stephenson

& Roger Lasey bond for } 645 40

Archer Atkins & W. H. Eley " " 110 00

Also the bond of Jesse Whitley and

Joseph Stephenson for lines 1864 } 175 00

And the bond of — for rent

of land 1865 } 25 00

An acct. against John E. Adams for 6 00

and an acct. against W. A. Womble for 1 25

Your Commissioner is requested to report that the bonds and accounts mentioned in the foregoing two lists have not been collected in consequence of the existing law staying the collection of debts for a limited time,

The administrator has given such bond as the law requires, in a penalty and with security sufficient,

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

(W. P. Young, Commr.)

In the County Court of Eschewright County
January 7th 1867, The foregoing account
and report, having been filed in the Clerk's

Office for one month and no ex-
ceptions, having been filed thereto, the
said account was confirmed and ordered
to be recorded,

Teste,

N. P. Young, Clk.

Attesty

Teste,

W. H. Hart, Secy.
N. P. Young, Clk.

The Estate of
Moses Atkins decd
In account with
Geo. T. Clarke admr

Acopy

Exhibit

D

Clerk's Office,

Isle of Wight Co. Va. Dec. 15th 1874

Geo. H. Hart, Deputy for N. P. Young Clerk of the
County Court of Isle of Wight County. Do hereby certify
that there is charged to the Estate of Moses Atkins
on the Land Book of Hardy Township for the year
1874, 136 acres of land of J. Dorsey Deuss, 7 miles
W. from L. A., valued at \$544.00 according to the
last assessment of lands in the State of Virginia
made in the year 1870.

Teste,

Geo. H. Hart, Deputy for
N. P. Young, Clerk

Certificate of the
quantity, value &c —
of moses ¹⁷⁷⁴ & thimble

Exhibit

C

On and from the first day of January next 1857
I Promise and bind my self my Heirs &c
to pay or cause to be paid unto Elizabeth
Carthart the sum of twenty Scottish
current money in Virginia for value
received as ~~Witness~~ my hand and
Seal this Day of 1856

Joseph T. Atkins
Moses Atkins

Museo Storico
di 3130. 10.
7

358/72

When he has business in your county, he will at once know where to find the name of a competent and reliable lawyer.

- 2d. The small cost of the advertisement, viz: five dollars, for placing your card, thus permanently, in the hands of 15,000 business men, which is exactly 1-30 of a cent for each person to whom it will be sent. If you were to distribute your card among the same number of persons in these cities, postage alone would cost you \$300, and your time consumed would bring the cost far above \$500, which would be \$100, where we charge \$1.00; and then your card would, in the majority of cases, be mislaid.
- 3d. The various branches of professional business continually arising in your county, including collections, real estate transactions, Orphan's Court and Surrogate practice, and bankruptcy proceedings, make the chances much in your favor, that your services will be required at some time by parties in different parts of the country; if not this year, the next or succeeding years. Business needs increase every year in our country, and your name will be in position, well accredited, waiting for the opportunities to arise.
- 4th. The new edition will contain the names and testimonials of attorneys in a number of counties unrepresented in the present work, thus increasing its value to you personally. Our desire to avoid further delay in the issue of the first edition caused us to put it to press without correspondents in many counties which we desire to have represented.
- 5th. Although the population of your county may now be small and its business with the rest of the country trifling, yet in the course of a few years, both will largely increase, and your advertisement thus become of unexpected value to you. One small case would more than repay you the requisite outlay, while a large case might repay you a hundred fold.
- 6th. The exclusive representation of your county. Such a book as this will never probably be issued again, so that your position will not be interfered with. In the vast majority of cases, we have the best lawyers in the counties, as your personal knowledge in your locality will prove, and even should a rival work ever be published, it must contain our correspondents, or have inferior attorneys.

Such reasons have doubtless occurred to you, as they probably have to others, with such force and effect, that we have already entered for the extra edition over one-half of the names in the present edition, and we feel safe in assuring you that the extra books will contain at least nine-tenths of the names in the present ones. Should you subscribe for this extra edition, we will send you a copy of it when issued, and if our promises are not fulfilled, will gladly return your money.

We have urged these considerations upon you, at some length. We would have preferred sending you a written instead of this printed communication, but as we have nearly four hundred similar ones to issue, we found it necessary to have them printed.

In order not to delay the work, and those who have paid, it is absolutely necessary that we should receive your answer before April 15th. It will not be much trouble for each gentleman to answer us by return mail, while it will be a great convenience to us. We therefore request as a favor, that you will answer this letter by return mail,—or if that be impossible, at your very earliest convenience.

We are, very respectfully, your obedient servants,

Edward H. Hople

Please remit by P. O. Money Order, Registered Letter, or Draft.

P. O. Box, 2028.

Carstenphen

to

Atheni

V

Commissioner's Office,
ISLE OF WIGHT COURT HOUSE.

Nov 18th

1865.

To

Jimmie O. Atkins, Archer
Atkins. Martha H. Ely, Merrett
Gwaltney & Cherry his wife George
H. Atkins - L. B. Edwards Shff. & adm
J. Elizabeth - Canstarpam decd & of
Mary Ann Whitley decd & of D. H. Atkins decd
and to

Plaintiffs.

George T. Clark. adm with the will
annexed. of Moses Atkins decd Laura
S. Jones. adm of Simon Atkins decd. Mar-
garet Lupton son of L. B. Edwards Shff. & adm
of L. S. Atkins decd & Madecorn. Edwards
and Susanna his wife

Defendants.

You are hereby notified, that I have fixed upon the 3^d day of December
1865, to take and settle the following accounts, at my office, to wit:

- First, An account of the transactions of G. T. Clark. adm
with the will annexed. of Moses Atkins decd
- 2^d An account showing the amounts due the respec-
tive legacies under the will of said Moses Atkins

required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered on
the 21st day of October 1865, in a suit in Chancery depending
in the said Court, in which you are parties, Plaintiffs and Defendants; at which time and place you are
required to attend. Given under my hand, as Commissioner in Chancery of said Court the day and year
aforesaid.

M. J. Young

Comm.

I acknowledge service of the within notice for
the parties ~~defendants~~ plaintiffs

C. B. Hayden

I acknowledge service of the within notice

Geo. D. Clement

adversary

Atkins sale

H. ¹³/₂ Const. Notice

Atkins adm. sale

To 3^d. Dec. 1878

Executed on the 11th
within parties d^{ts}.

Dec. 10th 1878

X J. Williams

clerk

1 - Ho

2 - Ho

3 - "

4 - "

5 - "

6 - "

7 - "

8 - "

9 - "

10 - "

Commissioner's Office,

Isle of Wight C. H. Va. *Feb. 21st. 1878.*

To, *Jessie O. Atkins, Arthur Atkins, Martin W. King*
Mrs. Gertrude Cherry his wife, Geo. W. Atkins, L. B.
Edwards & son, & Leg. Executors, & of Mary A. Cherry
and J. B. N. Atkins & son, of Geo. F. Atkins & son. Plaintiffs.
and to *Geo. T. Clarke, admr. of Martin Atkins with will annd,*
Laura S. Jones admr. of James Atkins & son; Margaret McPherson,
J. S. Atkins, Mary Edwards & Laura his wife Defendants.

You are hereby notified that I have fixed upon the *8th* day of
March 1878 to take and settle, at my office aforesaid, the

following accounts to wit: *enquiry to wit: Whether the*
defendant J. S. Atkins, sometimes called A.
A. S. Atkins, whose answer was filed in this
cause on 23^d Octo. 1877, is the same person
as the legatee named in the 5th clause of
the will of Moses Atkins, as the grand son
of the said testator and son of Wm. Atkins
a deceased son of said testator"

Required to be taken by a Deeree of the Circuit Court of Isle of Wight County, rendered
on the *23^d* day of *October* 1878 in a suit in Chancery depending
in the said Court, in which you are parties, plaintiffs and defendants; at which time and
place you are required to attend.

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

A. J. Young Commissioner.

Atkins et al.

or.  Coult. Notes

Atkins adm. et al.

To 8th March 1878.

Executed March
4th 1878.

L^d B. Edwards
Shiff

Senior Acknowledged.

C. 1878 May 14

all for all rights
except G. J. W. W.