

1881-009

Chancery Causes
Isle of Wight County

James B. Porter & al
vs & al

vs Mollie B. Hale, William H. Barrett &

Folder 1

Other surnames: Latimer,
Uzzell, Marshall

To the honorable Geo Blow Judge
of the Circuit Court of the County
of Del of Wight, State of Virginia.

Humbly complaining, sheweth
unto your honor, your complainants
James B Porter and Fannie his wife,
of the County of Del of Wight, that
one Nancy Uzzell by her last will
and testament, duly admitted to probate
in the County Court of said County,
a certified copy of which is herewith
filed (and marked A) and prayed to be
taken as a part of this bill, that by
said will of Nancy Uzzell, will be
seen that she bequeathed to one Emily
Gale, during her life, a certain tract
of land, situated near the Court
house of Del of Wight County, contain-
ing (100) one hundred acres and adjoin-
ing the lands of Col Geo. F. Hall and
others, and at her death devised to the
children of said Emily Gale, namely,
Fannie Gale, Christine Gale, Robert
Gale, Peter Mc Gale and Burton Gale
and their heirs for ever, the said
tract of land.

Your complainants further state
that before the death of the said

Emily Gale all of her children named above, died; Christine Gale and Peter Mc. Gale intestate and without issue, on the death of the said Christine and Peter Mc. Gale, their interest in the said lands passed to the surviving sister and brothers, namely Fannie Gale, Robert Gale and Buxton Gale, that the said Fannie Gale intermarried with one F. C. Latimer of which marriage a daughter was born who was named Fannie and is now the wife of James B. Porter one of the plaintiffs in this suit; That Buxton Gale after marriage, died intestate, having one daughter Mollie B. Gale, infant, under the age of twenty one years; That Robert Gale, after marriage, died intestate, having five children, namely Emily Gale, now the wife of William H. Barrett, John Gale, William Gale, George Gale and Annie Gale infants under the age of twenty one years.

And your complainants further state that the said real estate is as they believe subject to partition among the parties entitled thereto; but if

It be not, then your complainants
desire the same to be sold and
the proceeds distributed amongst
the parties, in proportion to their re-
spective interest therein.

An order consideration whereof and
for as much as your complainants
are remediless in the premises, save
by the aid of a Court of Equity, where
matters of the kind are alone and properly
cognizable, your complainants
pray that the said, Mollie B Gale,
wth H Barnette & wife, Mrs. Gale, William
Gale, George Gale and Annie Gale
be made parties defendants to this
bill and required to answer the
same; that a proper guardian ad
litem be assigned the infant defend-
ants, to defend their interest in
the suit, that the said real estate
be ~~divided~~ divided between the par-
ties ~~as mentioned~~ aforementioned
entitled thereto and your complainants
portion thereof allotted to them, and in
case the said real estate be indivisible
in kind, that the same be ~~sold~~ exposed
to sale and the proceeds thereof be dis-
tributed among the parties entitled

Porter & wife

7 } In Chancery

Gale & others

Compliments Bill

Sept. Reels. 1875.
Bill No. filed - Dr. vs. vs.
a. adult debts. Gov. ad
litum app. vs. infants: their
and. filed & repld.

" Octo. Vls. Bill taken for
comps? as to adults & set
for hearing.

" Octo. ch. Dr. for partition

" April. 76. Rept. accounts
with instructions to report the
balance of the

October 76. Dr. for sale,

" April 77. Dr. Conf. rep. of sale
& distribution of funds in hand

" Octo. 77. Dr. Conf. rep. of
distribution, & for collection
of funds re.

" April. 78. Rept. of Comm. Porter
& was also confd. & Dr. to
distribute funds in hand re

" Octo. 78. Amtd

" April. ch. 1879. Rept. Conf. S.
and Dr. to distribute

" Octo. ch. 1880. Rept.
Conf. S. Dr. to collect
pay over re.

" April. ch. 1881.

Final Dec
=

them to; that proper process may
issue; and that such other, further and
general relief may be afforded from
complaints as the nature of the case
may require, and from complaints
will now pray &c.
Geo. M. Worcester Jr. W.

The joint and separate answer of Mother B. Gale, John Gale, William Gale, George Gale and Anne Gale infants under the age of twenty one years, by A. P. Young, their guardian ad litem, to a Bill in Chancery filed in the Circuit Court of the District of Columbia against them by James B. Potter and Fannie his wife.

These respondents, for answer to said Bill, say that they neither admit nor deny the allegations set forth in the said Bill. And that being infants of tender years, and ignorant of their rights in the premises, or what may be best for them, respectfully submit their rights and interests to the Court. And pray that no order or decree may be made in the said cause that will result to their injury.

And having answered, pray to

Signed

A. P. Young guardian

ad litem.

Porter wife
vs. $\frac{3}{4}$ Chas.

Barrett wife & al.

Infant's Annu.

Filed Sept. Rk. 1845.

The Commonwealth of Virginia,

Norfolk City

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

William H. Barlett & family his wife, late Gale; Julia Gale; John Gale; William Gale, minor child; Fannie Gale infant child; Robert Gale dec; and Mollie B. Gale, infant child & Marion Gale dec;

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 *September* next to answer *the Bill in Chancery of James B. Fortin and Fannie E. his wife*

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 *28* day of

August 187*5*, in the *100* year of the Commonwealth.

N. P. Young Clk.

Attest, N. P. Young

Backus & Co Legal service of this summer.

William H. Barrett

Emily Barrett.

Not found
Rue E. H. H. H. H.
for W. H. H. H. H.
Rue E.

The Commonwealth of Virginia,

Norfolk City

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

William & Emily his wife, late Gale, Julia Gale, John Gale, William Gale, George Gale & Annie Gale infant children of Robert Gale dec'd; and Molly Gale infant child of Burton Gale dec'd;

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 *September* next to answer *the Bill in Chancery*

of James B. Porter and Fannie E. his wife

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 *28th* day of

August 1875, in the *100th* year of the Commonwealth.

N. P. Young dec'd.

At Copy Test, C. P. Young att.

Jack Knowllege legal service of this document

Emily O. Barnett.

Wm. E. Barnett.

Wah forrest
Lara E. Hapkin & by
for W. E. Barnett & by

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *William E. Basutt & Emily his wife, late Gale; Julia Gale; John Gale; William Gale; George E. Lee & Annie Gale, infant children of Robert Gale dec'd; and Mollie B. Gale, infant child of Buxton Gale, dec'd.*

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 *September* next to answer *The Bill in Chancery of James B. Porter and Fannie R. his wife*

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 *28th* day of *August* 187*3*, in the *100th* year of the Commonwealth.

N. P. Young Clk.

James B. Porter &
Fanny E. his wife

vs. }

Mollie B. Gale inst. & als.
vs. Sept Rules 1870.

Waddill, py.

Presented by DeLong
to the court in name
Mollie B. Gale as the
Cust of the court
Summers Sept 20

1870 -

A B Coleman Clk

James B. Potter &
Fannie & his wife

vs.

Surgeons: in
Chancery.

William E. Barutts

To Sept. Rules, 875.

G.M. Craddick p.y.

Not found
one dollar returned
Chas. E. Hopkins & Co
for W. H. Saunders & Co

The Commonwealth of Virginia,

To the Sheriff of ^{Norfolk County} Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

William H. Barrett Emily his wife,
Leticia Gale; Lelia Gale; John Gale; William Gale; George Gale &
Anna Gale infant Children of Robert Gale Decd. and
Molly B. Gale infant Child of Preston Gale Decd.

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 September next to answer the Bill in Chancery
of James B. Porter and Fannie E. his wife.

Do plea of no for \$ no Damages \$ no And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the 28th day of

August 1875, in the 100th year of the Commonwealth.

N. P. Young

2nd Report of Commissioners

To the Circuit Court of Isle of
Wight County, Virginia,

The undersigned special
Commissioners appointed by a decree of said
Court of Oct. term 1875, in the suit in Chancery
of James B. Porter and wife v. W. E. Barnett,
Gale & others, hereto annexed, to partition
the lands whereof Nancy W. Zell died
seized and possessed, in the County of
Isle of Wight V^{ts}, according to the terms of
said decree. and report to Court, which
report was filed with the papers; but the
Court ^{by decree} at the Apl. term 1876 recommended
the said report to the undersigned Com-
missioners with instructions to take
evidence as to the matter required to
be reported. The attention of the Court
is called to the deposition, of J. J. Murphy
& Geo. F. Hall, hereto annexed, which sus-
tains us in the opinion that the said
land is chiefly valuable for agricultural
purposes, that we think it not only im-
practicable to divide it as directed by
the said decree of October 1875, but we think
it would be to the interest of all parties
interested to sell the same; that if divided
as directed the portions allotted to each
would be so small that they would be

of no value for agricultural purposes,
for which said land is only valuable as
above said.

The fee simple value of said land
is one thousand dollars (\$1000.00) and the annual
value one hundred dollar (\$100)

All of which is respectfully sub-
mitted

W. A. Wornble

L. H. Hart,

E. J. Hollenbeck

George F. Witter

} Comm.

Porter trustee 16

15.

Ed. Chauncey

Yale trustee 16

Comm's Report.

Commissioner's office, Isle of Wight Courthouse
Octo. 4th. 1876.

On this day, before me St. P. Fanning a Commissioner in Chancery for the Circuit Court of Isle of Wight County personally appeared John J. Murphy and George D. Hall, who being duly sworn, depose and say that they are well acquainted with the land whereof Nancy Uzzell did seized and possessed and mentioned in the proceedings in the suit in Chancery now pending in said court in which J. B. Porter wife an plaintiff and W. C. Bonnett wife &c. are defendants. That they are of opinion that the division of said land in kind amongst the parties entitled thereto, would be injurious to their interests and that they believe it would be most judicious to their interest for the land to be sold and a division of the proceeds made, for the reason that the tract is a small one of 100 acres and if divided into four or five parcels it would be of little value to each party, especially as there are houses on only a portion.

J. J. Murphy
Geo. D. Hall

Taken and subscribed before me by J. J. Murphy
& G. D. Hall on the day & year mentioned in caption
St. P. Fanning Com. in Chanc.

Porter & wife

3 Aff. det.
v.

Barrett et al.
/

In the Circuit Court of Isle of Wight County.
April 22^d, 1876.

James B. Porter and Fanny E. his wife - Plffs
Against $\frac{3}{4}$ In Chancery.
William E. Barnett and Emily his wife, late
Gale, Lelia Gale, John Gale & others Defs

This cause came on this day to be again heard
on the papers formerly read and on the report
of the Commissioners of partition made
under the decree herein of October Term
last, and was argued by counsel. On con-
sideration whereof the Court doth recommit
the said report to the said Commissioners
with instructions to take evidence as to the
matters required to be reported and return the
same with their report to be made under
this decree.

A Copy, Test,

J. P. Young Clk.

This day personally appeared before me Geo. M. Waddell a Notary Public
in and for the County of Isle of Wight Vt. William A. Womble
Leah Hart, E. J. Halland & Geo. W. Tuttle Comrs.
named in the annexed decree and made oath that they ^{had} would
perform the duties required of them according to law and the
best of their ability.

Given under my hand this 20th day of Oct., 1876.
Geo. M. Waddell Notary Public

Postoffice

v. ^{Wm} Co. Decm
of Apl. 1/76.

Gale et als.
/

For Secy. of State

In the Circuit Court of Isle of Wight County Oct 22nd / 75-

James B Porter & Fanny E. his wife

Plffs.

vs.

} In Chancery

Wm C Barrett, & Cindy his wife late Gale, Lelia -
Gale, John Gale, Wm Gale, George Gale, and
Amie Gale, infant children of Robert Gale dec'd
and Mollie B Gale infant child of Peyton
Gale dec'd

Defrs.

This cause came on this day to be heard
upon the original bill taken for confessed
as to the adult defendants, the answer of the
infant defendants by H P Sams, their
guardian ad litem with replication
thereto And was argued by Counsel. On con-
sideration whereof the Court doth order
that Geo F Whitley, Wm A Womble, Wm B
Porter, C F Holland and C B Hart. who are
herby appointed Commissioners for the
purpose (any three of them whom may act)
having been first duly sworn, do, proceed
to lay off and divide the real estate of
which Nancy Uzelle dec'd Reigis and
possessed, consisting of a tract of One
Hundred acres of land near the Court
House of Isle of Wight County, and adjoining
the lands of Geo F Hall. and others
first into three equal parts. then one of
these parcels into five parts, so that the
parties entitled thereto can draw their por-
tions as directed under the will of the said
Nancy Uzelle. But if the said Commissioners

should find it impracticable to divide the said lands, among the aforesaid parties or should be of opinion that the interest of the said parties would be more promoted by a sale of the same, in such case they are required to report the facts upon which their opinion is based to the Court and also what in their opinion is the fair market value of the whole of the real estate of which the said Nancy Uzzell died seized and possessed, and in such case they are required to report their proceedings under this order to the Court.

A Copy left

A. P. Young clerk.

This day personally appeared before me N. P. Young clerk of the County Court of Sealewright County, L. H. Hart a lawyer named in the annexed decree of Court, and made oath that he would perform the duties required of him thereunder according to law and the best of his ability, Given under my hand this 7th day of February 1876,

A. P. Young clerk.

This day personally appeared before me, L. H. Hart a Notary Public in and for the County of Sealewright, George F. Whitley, Wm. A. Womble, Wm. H. Porter and E. H. Holland lawyers named in the annexed decree of Court, and made oath that they would perform the duties required of them, thereunder according to law, and the best of their ability, Given under my hand this 7th day of February A.D. 1876,

L. H. Hart, Notary Pub.

To the Circuit Court of Salcofright County.

The undersigned Special Commissioners appointed by a decree of said Court of October 1875, in the suit on Chancery of James B. Porter wife vs. Wm E. Barrett wife, Lelia Gale, et al, ^{Term} ^{Chancery annexed,} to partition the land whereof said Wm E. Barrett died seized and possessed in the County of Salcofright Va according to the terms of said decree, Report that said lands, consist of a tract containing One hundred acres more or less, near Salcofright A. H. in the said county, that said land is chiefly valuable for agricultural purposes, that they think it not only impracticable to divide it as directed by the said decree, but they think it would be to the interest of all parties interested, to sell the same, that if divided as directed by said decree the portions allotted to each party would be so small, that they would be of no value for agricultural purposes, for which said land is only valuable as aforesaid, The fee simple value of said land is, \$1000.00 and the annual value, \$100.00,

All of which is respectfully submitted.

Feb'y, 7th 1876,

W. H. Porter

Wm. Wamble

George J. Whitey

Exm. J. H. Holland

W. H. Hart

Comms for their
services \$2.00 each = \$10.00

Comms

Folder maps

vt. { copy of decree
Report of Comrs
of Partition

Barrett, Gale, et al

Feby, 8th 1876, filed,

Porter & wife }
 do } In chg.
 Gal & as. }

To Circuit Court of July
 weight 60 $\frac{72}{100}$

Pursuant to a decree of the
 said Court ^{as above} at the Apl. term 1877 in
 this cause, the undersigned, special Com-
 -missioners were directed to distribute
 the amount $\$357 \frac{72}{100}$ then in their
 hands to the parties entitled there-
 to, as will be seen from decree
 herewith filed, ~~as follows~~ In ob-
 -edience to said decree your com-
 -missioners has distributed as
 follows

1877

Oct 17 th	Deposited in the Farmers and Merchants Savings Bank Southfield 8 th to the credit of Walter B Gale	\$117.24
" 17 th	In the said Bank on the same day to the credit of Annie Gale	19.54
" "	In said Bank to the credit of Julia Gale	19.54
" "	In said Bank to the credit of Geo B Gale	19.54
	Paid to J W Gale (Imperson)	19.54
	" " W. F. Gale " "	19.54

214.94

1877

Amount brought over 214.74

July 7th Paid to W. H. Bonnett in right of
his wife Emily C. (doh Gale) 19.54

Oct 20th Paid to J. B. Porter in right of
his wife Fannie Porter 117.24

\$351.72

Receipts herewith filed, for
the above amount,

Given under our hand
this 23rd day of Oct 1877

Jas B Porter Commr
Geo M Waddell

Porter & wife
Report of
Distribution
Gale & als
Dec. 20. 1877. filed

Received, July 6th 1878, of J. S. Young
Clerk. Circuit Court at Smithfield, Va.
certificate of deposit in this report
mentioned, of \$117.24 in J. S. Young
bank, under decree of April 1878.
Jas. B. Porter

May 10th 1878, Received of J. S. Young clerk of the Circuit
Court of Isle of Wight, Va. the certificate of deposit made in
the Farmers & Merchants Savings Bank at Smithfield for \$19.54
due each of the following infants, viz: Annie Gale, Julia Gale
& George Gale, which by decree of April term, 1878, are
are directed to collect & pay to the guardian of said
infants.

Jas B Porter Commr
Geo M Waddell Comr

Oct 22nd 1877 Received of J.B.
Porter and his wife Fannie Porter
one hundred and seventy dollars
and twenty four cts it being the
amount due under the decree,
rendered at the Apr. term of
this Court 1877 in the suit of
Porter and wife vs Hale & others

Jas B. Porter

Sh of Wight Co Va

Oct 21st 1877

James B Porter and Mrs M Wooddill
are requested to pay to James B.
Porter (My husband) the amount
that may be due me under the
decree of the Circuit Court of Sh.
of Wight Co Va rendered at the
Apr term 1877 in suit of Porter and
wife vs Goh and others, One hundred
and Seventeen dollars and Twenty four
cts (\$117.24) that being the amount
due me

Fannie E. Porter

State of Virginia

Sh of Wight Co. To wit;

I Mrs M Wooddill a Notary
Public for the County of Sh of Wight
State of Va do certify that Fannie E. Porter
wife of James B Porter whose name is
signed to the above writing bearing date
20th Oct 1877 personally appeared before
me in the County aforesaid and being exam-
ined by me privately and apart from her
husband, and having the writing aforesaid
fully explained to her she the said Fannie
E. Porter acknowledged the said writing

to be her act, and declared that she
had willingly executed the same
and does not wish to retract it

Given under my hand this
22nd day of Octr 1877

Geo. M. Waddell N.P.

Corporation of the City of Norfolk, TO-WIT:

I, *Pendleton T. Moore*,

a Notary Public

for the Corporation aforesaid, in the State of Virginia, do certify that

W. H. Barrett Jr

whose name

is

signed to the writing hereto annexed, bearing date on the

seventh

day of

February

in the year eighteen hundred and seventy-

seven

has

acknowledged

the same before me in my Corporation aforesaid.

Given under my hand this

8th

day of

February

in the year 1877

Pendleton T. Moore

Notary Public.

STATE OF VIRGINIA,

CORPORATION OF THE CITY OF NORFOLK, TO-WIT;

I, *Pendleton T. Moore*,

a Notary Public

for the Corporation of the City of Norfolk, in the State of Virginia, do certify that

E. E. Barrett

the wife of

W. H. Barrett

whose names

are signed to the writing hereto annexed, bearing date on the

seventh

day of

February

in the year eighteen hundred and seventy-

seven

personally

appeared before me, in the corporation aforesaid, and being examined by me privily and apart from

her husband, and having the writing aforesaid fully explained to her, she, the said

E. E. Barrett

acknowledged the said writing to be her act, and declared that she had

willingly executed the same and does not wish to retract it.

Given under my hand this

8th

day of

February

Anno Domini 187

Pendleton T. Moore

Notary Public.

For value received, I hereby sell, transfer
and assign unto James B. Porter, all my
right title and interest in and to the pro-
ceeds of the real estate of Nancy Uzzell decd:
which has been sold under a decree of the
Circuit Court of Isle of Wight county in the
suit of James B. Porter & wife vs. Mollie B.
Gale, Wm. H. Barnett & wife & als. And I
hereby authorize the commissioners who
may distribute the proceeds of said sale
to pay over to said Porter my distributable
share of said fund.

Given under my hand and seal this
seventh - day of February, 18th of

Wm. H. Barnett & wife

Emily E. Barnett & wife

1877 Recd: of Jas. B. Porter and Geo. W.
Waddill Comrs in the Chy. suit of Jas. B. Porter and
wife et als, vs, Gale et als, the sum of nineteen
52/100 Dollars each, it being the amt. due us respectively
out of the amt. ordered to be distributed by the decree
in said suit of the 21st day of April 1877.

James B. Porter

William F. Gale

Potter wife et al

vs. { Enbly:

Gale et al.

Receipt of John
Gale & W^m Gale &c

Fannie Forter one third; to Mollie B. Gall,
one third, and to H. A. Barrett in right
of his wife Emily (late Gall). John Gall,
William Gall, Geo. Gall and Annie Gall
the other third, paying the amount due
to the said Fannie Forter and Emily Barrett
to their respective husbands upon their consents
being taken and certified by a Justice
or Notary Public, and filed in this cause.
And the amount due to the respective
infants, Mollie B. Gall, John Gall, Wm. Gall,
Geo. Gall and Anna Gall, to their legal
guardians if any, and if no such guard-
ians, then they shall deposit the amount
due them in the Farmers & Merchants Savings
Bank, Smithfield Vt. to the credit of said
infants, taking certificates of such deposits
as well as receipts from the parties paid
and return said certificates and receipts
to the court, with their report of their proceed-
ings under this decree — Acopy Teste

W. A. Edwards D.C. for H. P. Young

Forter and wife
vs. { Barrett, a party Dec.
of April 24, 1894

Gall et al

Isle of Wight Circuit Court, April 21st 1877.

James B. Porter and wife + a/c
Against J. DuChie.

Pltffs.

Mollie B. Galt, W. H. Barlow and wife
and others.

Defts.

This cause came on this day to be again heard on the papers formerly read, and on the report of sale made by James B. Porter and Geo. W. Haddill Comd. of sale under the decree herein of the October term 1876, and was argued by Counsel, on consideration whereof the Court with adjudge order and decree, that the said report to which no exceptions have been filed, be confirmed, and it appearing by the said report that there is in the hands of the said Comd. remaining of the Cash payment for the land sold by them, after paying out the cost of suit and expenses of sale, the sum of \$351.⁷². Three hundred and fifty one dollars and seventy two cents, The Court with further adjudge order and decree that the said Comd. Porter and Haddill distrib-ute the said sum of \$351.⁷², to the parties plaintiffs and defendants as follows to wit: To James B. Porter in right of his wife

Porter Hoife

25.

Gale Sal.

In chg. in cir. ct. of Del of Wright Co.

Bill of costs to Ails. Term 1846.

333

Ails. fee and work tax Paid Geo M Waddell \$ 31.00

Clerk circ. fee 19.48

Clerk co. ct. " .80

Shff: fee (J. O. Wright) L. B. Edwards Shff? .50

Court. Grunt for Depts. 1.00

G. M. Waddell Notary pub. (Shff): court. Geo M Waddell 1.00

C. H. Hark Notary pub. (") Paid C. H. Hark 1.00

Wm. H. Porter com. of partition for sum of 1000. Porter 1.00

Wm. A. Womble " " Paid S. W. Womble 2.00

Geo. S. Whitley " " " 2.00

E. J. Holland " " " 2.00

Chas. H. Hark " " " 2.00

55.08

Geo. J. Murphy arts. attent. .50

Geo. S. Hall " " Geo. S. Hall .50

\$ 56.48

Note - all the above clerk's fees except \$3.10 are in the hands of Shff. for collection -

A copy

Teste, A. S. Young att

Recd. of Council. Porter Hoadell the amounts due us
by the foregoing statement of costs.

A. J. Young clk. for \$3.10 not in bill. Recd.

Porter & wife

23 Dec 1840

100.

Gale tol.

James B. Porter & Fanny his wife.
 1876. To the Clerk of the Court of Wight County Dr.
 Aug: Summons in Chancery vs Gale & als. 25.
 Copies 1.00. postage .6. for sent to
 Norfolk Seagrant. 1.50. noting. 18.
 Atts. 10. Sept: filing Bill. 15. Whitts. 25.
 Return. 35. Rule for Pltff. 50. Rule for
 infants. 50. filing answer. 15.
 Octo: Another Rule for Pltff. 50. Rule for infnts. 15.
 Atts. 50. Rockitting. 18. 5.67
 Octo: let: decree for partition & copy. 70
 86.37

W. P. Young Clerk:

6.37
~~7.30~~
50
 7.88

Paid by J. B. Porter
 J. B. Edwards Cash

Porter Jas. B.

\$6.37
 71
7.57
 \$14.65
 189
16.54
50
 \$17.04
60
 \$17.64

1876. James B. Porter & wife
To the Clerk of Isle of Wright Lewis: Let. 29.
Apl: Filing report of partition 15: Acme or-
commuting report 36, Copy 20. 71
W. P. Morris Let K:

Porter Jas B.

41

Paid by J. B. Porter: Cont

A. B. C. & S. H. S.

March 5th. 1874 Recd of M. J. B.
Porter ^{as agreed} Five Dollars for services
as auctioneer in sale of Mrs. Emily
Giles land.

A. B. Conrad
Auctioneer

Porter's wife

In chy. cir. court

"

3

Bill of costs. to including
Oct. ct. 1847.

Gale

Att. fee and writ to

\$ 34.00

Clark's fees ar. ct.

10.18

do. co. ct.

.80

Shff. l.o.w.

.50

Comm. Young for depositions

1.00

Geo. M. Waddell motion sub. fees

1.00

C. H. Hark

do.

1.00

W. H. Porter cont. of partition

2.00

W. A. Womble

"

2.00

Geo. P. Whitley

"

"

2.00

Edmund P. Holland

"

"

2.00

Chas. H. Hark

"

"

2.00

Jos. J. Humphrey

writings

.50

Geo. D. Hall

"

.50

Total costs to Oct. ct. 1847

\$ 56.48

Teste

J. P. Young cld.

Porter wife

or. $\frac{3}{8}$ Bill of
Costs.

Gale 104.

Ch. of Wight Circuit Court, Apr Term
1878

I B Porter and wife

vs } In Chy.
Eale and els }

This cause came on to
be again heard on the papers formerly
read and on the report of Commrs I. B.
Porter and Geo. M. Waddill, under decree
herein filed, of the Octr Term 1877,
and was argued by Counsel; on consider-
ation whereof the Court doth adjudge,
order and decree that said report, to
which no exceptions have been filed,
be confirmed, and it appearing by
the said report that there is in the
hands of the said Commrs, four hun-
dred and eighty seven dollars and sixty
cts. (\$487 $\frac{60}{100}$) the same being the
principal and interest on bond of L. N.
Marshall & P. R. Turner, named in ^{affidavit} ~~and~~
decree, and the recent ~~being~~ payment
for the land sold by said Commrs,
the Court doth further adjudge,
order and decree that the said Commrs
Porter and Waddill distribute the said
sum of \$487 $\frac{60}{100}$, to the parties plaintiffs
and defendants as follows to wit;

To I B Porter in right of his wife Fannie

Porter one third to Mollie B. Gale
one third, and to ~~Wm~~ Barnett in
right of his wife family (late Gale) John
Gale, William Gale, George Gale, Selma
Gale and Annie Gale the other third.
paying the amount due to the said
Fannie Porter & Emily Barnett to their
respective husbands upon their consents
being taken and certified by a justice of
the P. or Notary Public ~~and filed~~ and filed in
this cause, and the amount due ^{to} the respective
infants Mollie B. Gale Geo. Gale Wm. Gale, George
Gale, Selma Gale and Annie Gale to their legal
guardians if any, and if no such guardians then
they shall deposit the ~~same~~ ^{amount} due them in
the Farmers & Merchants Savings Bank
Smithfield Vt. to be credited to said in-
fants, taking certificates of such deposits.

The Court doth further adjudge, order
and decree that the said Commrs. Porter
~~shall receive a proper guardian has been appointed~~
& Waddell, collect from the aforesaid Bank
the amount that has been heretofore depo-
^{to the credit of said infants} sited by them, and pay over the same to
their legal guardians, and take receipts
for the same, and return the same ~~with~~
~~with~~ to Court with their report of
these proceedings under this decree.

Porter & wife
vs
Barnett
& children

Gale & others

April Term 1878

To be entered

Geo. S. Co. R.

Entered 29

Porter & wife }
do } In Chy.
Sale & als }

To the Circuit Court of
Ch. of Wight County, ^{App.} April term 1878

Pursuant to a decree of the
said Court rendered at the Oct. term
1877 in this cause, the undersigned
special commissioners were directed to receive
from the Clerk of this Court the bond
of Charles W. Marshal and F. R. Lerner
dated the 4th day of December 1878 and
due the fourth day of December 1877
the same being the second payment
for the land in the cause mentioned,
and collect the same and report to
Court. In obedience to said decree
your Commissioners have collected said
bond and interest, which amounts
to \$487 ⁶⁰/₁₀₀ Four hundred and eighty seven dol-
and sixty ⁶⁰/₁₀₀ cts.
now in hand

Given under our hands
this 20th day of Apr. 1878

Jas. B. Porter } Commrs.
Geo. M. Waddell }

Porter & Wife

vs } 2nd Report of
} Comr. Porter & Wood
} under decree to collect
} 1st bond
Gale & Co

Porter & Wife }
vs. } In Chy.
Gale & Co. }

To Circuit Court of
Shelby County Virginia

Pursuant to a decree
of the said Court rendered at the
Oct. term 1876 in this cause, the
undersigned, special Commissioners
thereby appointed, report to the
Court that after having given over
twenty days notice of the time &
place of sale by advertising as
directed in the decree, they
exposed to sale by auction, before
the Court house door of said County,
on the 4th day of December 1876, that
being court day the land in the
proceedings mentioned whereof
Nancy Wyzell died seized and pos-
sessed, in the County of Shelby of
Wight containing by estimation
one hundred acres, lying and ad-
joining the lands of Geo F Hall
and othrs, at which sale Chas. N
Marshall being the highest bidder
became the purchaser of said

land, for the sum of one thousand
 eight hundred and forty dollars,
 (\$1840⁰⁰/₄) One fourth cash and
 the balance in one, two and three
 years; for the deferred payments
 we have taken three bonds, bearing
 interest from date, signed by
 Chas. H. Marshall and secured by
 P. R. Turner as shown by bonds her-
 ewith filed. Out of the cash
 payment your Comrs. have made
 the following payments.

~~Allys for and cost to~~	~~\$7.50~~
Bills of cost to Oct term 1876	\$56.48
L. B. Edwards as Auth.	5.00
Paid for advertising	1.00
Com. out \$300 @ 5 per. Ct.	15.00
" " \$1340 @ 2 " "	460.00
By cash =	108.28
Et peres =	<u>\$108.28</u>
Bal in Comrs. hands	\$351.72

Receipts herewith filed for the above amounts
 Given under our hand
 this 20th day of Apr 1877

Jas B. Porter } Comrs.
 Geo. M. Waddill }
 [Signature]

Dec. 4th. 1877,

Received of A. P. Young Clerk of the circuit court of Isle of Wight county the bond of Chas. N. Marshall & P. R. Turner dated 4th Dec. 1876 payable one year from that date for the sum of \$400.00 which was filed in this report.

Wm. B. Foster (Clerk)
Geo. W. Waddell (Clerk)

Dec. 9th 1879. Received of A. P. Young clerk of the circuit court of Isle of Wight county the bond of C. N. Marshall & P. R. Turner dated 4th Dec. 1876 payable two years from date for \$400.00 which was filed in this report. Wm. B. Foster (Clerk)

Patience and wife

Connie.

Report of Dale
& Roberts of Haverhill.

Dale and wife.

April 20th 1877
Hilled.

Dec. 4th 1880. Received of A. P. Young clerk of the circuit court of Isle of Wight county the bond of Charles N. Marshall & P. R. Turner dated the 4th of Dec. 1876, payable three years from date for \$400.00 which was filed in this report.

Wm. B. Foster (Clerk)

Porter & wife
do } by chy.

Hale & atts. To the Circuit Court of
Idaho at Weigh House

Pursuant to a decree
of the Circuit Court of said County
at the April term 1878 in this cause,
the undersigned, special commissioners,
were directed to distribute the
amount \$487 ⁰⁰/₁₀₀ then in their
hands, as well as the amount in bank
(as hereafter shown) to the parties
entitled thereto as will be seen
from decree herewith filed.

In obedience to said decree,
your commissioners have distributed
as follows

1878	May 10 th	Paid to Mary C Hale	
		Guardian of George, Lelia & Annie Hale	\$60.36
"	May 10 th	Paid to Mary C Hale	
		Guardian of George, Lelia & Annie Hale	81.27
"	May 10 th	~~to Geo. W. Hale~~ to Geo. W. Hale	27.09
"	" 10 th	" " " " "	27.09
1879	Apr 18 th	Paid J. B. Porter in right of wife	162.53
"	"	" " " " " Guardian of Mollie B Hale	162.53
"	"	" " " " " " of Mollie B Hale	
		amount drawn from Bank under decree	117.24
	Apr 18 th	Paid J B Porter assignee of of	
		W H Barnto & wife	27.09
		over	\$652.00

Receipts herewith filed for the
above amounts

Given under our hands
this 20th day of April 1879

Doc. / Porter } Commrs
Geo. M. Adelle }

Porter & wife

3rd Report

of the

State and Dist.

II

April 21st 1879,

Filed

This day received of J B Porter
and Geo. M. Waddill (Comms) in
right of my wife Fannie E. Porter
One hundred and Sixty two dol-
lars and fifty three Cts, the same
being the amount due her under the decree
rendered at the Apr. Term 1878 in the
suit of Porter & wife vs Hale and others
Apr. 18th 1879 — J. B. Porter

I have this day, as Guardian of Mollie
B Hale received of J B Porter and Geo. M. Waddill
(Comms) One hundred and Sixty two
dollars and fifty three Cts. the same being
the amount due her under decree, rendered
at the Apr Term 1878, also One hundred
and sixteen dollars and twenty four
Cts. drawn from Bank under same
decree which amount had been depos-
ited in bank under a former decree,
making in all this day received
from said Porter & Waddill \$279⁷⁷/₁₀₀
Apr 18th 1879

J. B. Porter

I have this day, as Assignee of Wth Barlett
and wife received of J B Porter & Co
M Waddell Comms. Twenty seven dol-
lars and nine cts, the same being the
amount due them under decree of the
Circuit Court at the Apr term 1878, ^{then} here-
with filed.

Apr 18th 1879

Jas. B. Porter
Ass. of Wth Barlett & wife

I B Porter and Geo M Waddell, Comms
of Sale in the suit of Porter and wife v
Rob and also will pay to J. B. Porter (my
husband) the amount that may be due
me under the decree of the Circuit
Court of Sale of Wight Co. Va. rendered at the
Apr. term 1878 in the above named
suit, one hundred and sixty two
dollars and fifty three cts. that being
the amount due me

Fannie E. Porter.

State of Virginia
Sale of Wight Co to wit.

I Geo M Waddell a Notary
Public for the County of Sale of Wight, state
of Va do certify that Fannie E Porter, wife
of James B Porter whose name is signed
to the above writing bearing date the
18th of Apr. 1879 personally appeared
before me in the County aforesaid
and being examined by me privately
and apart from her husband, and
having the writing ^{above fully} explained to her,
she the said Fannie E Porter acknowledged
it to be her act, and declared that
she had willingly executed the same and does not
wish to retract it. Given under my hand
this 18th day of Apr 1879 Geo M Waddell M.P.

William and
John Loane.

To & Receipt

Jas. B. Porter &
Geo. M. Waddein
Comms.

We the undersigned have ^{each} this day
received of J. R. Porter & his M. Waddell
Comms. the sum of \$27.09 it being the
amount due us, under above undnd
at the apl. term of the Circuit Court
of Alb of Wight-les in 1878 in the
suit of Porter and wife vs John Bats,
given under our hands this 10th
day of May 1878

x

x

William T. Gale

John T. Gale

Received of James B. Porter and George M.
Waddill Commissioners in the suit of Porter
& Wife vs. Gale et al: pending in the Circuit
Court of Sale of Wight County, the sum of
One Hundred and thirty five dollars and
Fortyfive cents, being \$37.09 due each of my
wards ~~John Gale~~, ~~William Gale~~, George Gale,
Helia Gale and Annie Gale out of the sum
of \$484.⁶⁰ directed by decree of April term
1848, to be distributed by them. I have also
received from said Commissioners the sum of
\$. for each of my said wards, being
the amount deposited for them under a
former decree in said Court, in the Farmers
& Merchants Savings Bank at Southfield N.H. and
which by the aforesaid decree of April, 1848,
was directed to be collected by said Court
and paid to the guardian of said infants.

Given under my hand as guardian
of the said ~~John Gale~~, ~~William Gale~~, George
Gale, Helia Gale and Annie Gale, this 10th
day of May, 1848.

Chas. C. Gale Esq

Porter & wife

or $\frac{2}{3}$ In chry.

Gale et als.

Receipt of the gov.
of Mo. Gale & others
for amt. paid the
said gov. under a
draw of Sept, 1848.

Received of James A. Porter and George W.
Haddill Commissioners in the suit of Porter &
wife vs, Gale et als; pending in the Circuit Court
of Isle of Wight County, the sum of
Dollars, for each of my
wards, George Gale; Lelia Gale; and Annie Gale;
being the amount deposited for them under a
decree in said Cause, in the Farmers & Merchants
Savings Bank at Smithfield Va. And which by
the decree of in said Cause of April Term 1878,
was directed to be collected by said Court,
and paid to the guardian aforesaid infants.
Given under my hand as guardian of the
said George Gale, Lelia Gale, and Annie
Gale, this 10th day of May 1878,

Chas. C. Gale

after Verbalet
At a Corporation Court of the City on Thursday
the Sixth day of December A.D. 1877.

On the nomination in open Court of George Gale and
Lelia Gale orphans over the age of fourteen years of
Robert Gale deceased the Court doth appoint their
mother Mary C Gale their Guardian and the
Court doth also appoint the said Mary C Gale
Guardian of Annie Gale orphan under the age
of fourteen years of the said Robert C Gale
deceased And thereupon the said Mary C Gale
with Arthur Jakeman her surety who justified
his sufficiency on oath entered into and ack-
nowledged a bond in the penalty of Five
hundred Dollars conditioned according to
law And it is ordered that the said bond be
recorded

A Copy ~ Teste

W. H. Hunter C.C.,
by Westwood & Todd D.C.

Barrett in right of his wife Emily (late Gale).
John Gale, William Gale, George Gale, Selia Gale
and Annie Gale, the other third, paying the
amount due to the said Fannie Porter and
Emily Barrett to their respective husbands,
upon their consent being taken and certified
by a Justice of the Peace or Notary Public, and
filed in this cause, and the amount due to
the respective infants Mollie B. Gale, Geo. Gale,
Wm. Gale, George Gale, Selia Gale and Annie
Gale to their legal guardians if any, and if no
such guardians, then they shall deposit the
amount due them in the Farmers' and Mer-
chants' Savings Bank, Smithfield, Va., to be
credited to said infants taking certificates of
such deposits. The Court doth further adjudge
order and decree that the said commrs. Porter
and Waddell shall whenever a proper guardian
has been appointed, collect from the aforesaid
Bank the amount that has been heretofore
deposited by them to the credit of said infants
and pay over the same to their legal guardians,
and take receipts for the same, and return
the same to Court with their report of their
proceedings under this decree.

A copy. Teste,

N. P. Young, cly.

Isle of Wight Circuit Court, Apl. Term, 1878.
James B. Porter wife et al.,
vs.

Mary B. Gale, W. C. Barrett wife et al., Deft.

This Cause came on to be again heard on the papers formerly read and on the report of Commes. J. B. Porter and Geo. M. Waddill, under decree herein filed, of the Isle of Wight 1877, and was argued by Counsel, on consideration whereof the Court doth adjudge order and decree that said report, to which no exceptions have been filed, be confirmed, and it appearing by the said report that there is in the hands of the said Commes. four hundred and eighty-seven dollars and fifty cents (\$487.60) the same being the principal and interest on bond of C. R. Marshall and E. R. Turner named in aforesaid decree, and the recent payment for the land sold by said Commes. the Court doth further adjudge order and decree that the said Commes. Porter and Waddill distribute the said sum of \$487.60 to the parties plaintiffs and defendants as follows, to wit: To J. B. Porter in right of his wife Fannie Porter, one third; to Hollie B. Gale one third; and to Wm. H.

Porter & wife
vs
Gale & als

To the Circuit Court of Ark
of right 60 $\frac{7}{10}$ at the Octo
turn 880

Pursuant to a decree
of the said court at the Apr Term 1879
in this cause the undersigned, Spec-
ial Commrs. were directed to receive
from the Clerk of this Court the bond
of Chas N. Marshall & P R Turner
for \$460 $\frac{50}{100}$ the 4th of Decr 1878 and due
the 4th day of December 1878 and collect
the same and pay over the same to
the parties plaintiffs & defendants
entitled to the same.

In obedience to said decree your
Comrs. have collected the said bond of
\$460 $\frac{50}{100}$ and interest \$82 $\frac{50}{100}$ making
\$542 $\frac{50}{100}$ and distributed as follows.

✓ To J B Porter guardian of Mabel B Gale -	175.45
✓ " " " " in right of his wife Jane B Porter -	175.45
✓ " " " " assignee of W B Bonville & wife -	29.27 $\frac{1}{2}$
✓ " Mary B Gale (Guardian) of Geo. Gale, John Gale & Anne Gale.	87.82 $\frac{1}{2}$
✓ " J W Gale	29.27 $\frac{1}{2}$
✓ " W H Gale	29.27 $\frac{1}{2}$
✓ " Taxes for 1878-20	11.17
✓ " cost since last payment	4.68
Amount collected	\$542.80

Receipts here with filed

for the above amounts.

Respectfully submitted

Wm. B. Porter } Comrs

Geo. M. Waddell

Porter & wife

3rd
no { Report of
distribution

Geo. & als

Filed Oct. 20th 1880.

In Island of Wright Circuit
Levent - Apr. 21st 1879.

James B. Porter et al. Ampt. to
vs John Clay.

Mollie B. Gale infant et al. Defcs

This cause came on this day
to be again heard on the
papers formerly read, and on
the report of distribution made
by Jas. B. Porter and Geo. W.
Waddell Ammons. under decree
herewith filed, of the 1st term
1878 and was argued by
Counsel, on consideration
whereof, the Court, doth adjudge,
order and decree that said
report do which no exceptions
were filed, be confirmed.
And the Court doth adjudge,
order and decree that the
said Ammons. Porter and
Waddell shall receive from
the Clerk of this Court, the bond
of Charles N. Marshall and
P. R. Turner, herewith filed,
and doth Decr. 11th 1876.
and Decr. 11th 1878. the
same being; the third pay.

for the land in this case
mentioned, and collect
the same and pay over
the same to the parties
petitioners & defendants
as follows To wit: To J. B.
Porter in right of his wife
Fannie E. Porter - 1/3. To Mollie
B. Gale 1/3. and D. W. Barrett
in right of his wife Emily
(late Gale) John Gale, William
Gale, Geo. Gale, Lelia Gale, and
Annie Gale the other third,
paying the amt. due to the
said Fannie E. Porter and
Emily Barrett to their respective
heirs and assigns upon their assent
being taken & certified by a
Justice of the Peace, or Notary
Public & filed in this case,
and the amt. due the respec-
tive infants Mollie B. Gale, Geo.
Gale, Wm. Gale, Geo. Gale, Lelia
Gale and Annie Gale to their
legal gov. if any, or if none
guardian, then they shall
deposit the amt. due them
in the Farmers' Field Bank
to be credited to said infants

such

W. A. Eideveros D. B. Jr.

Porter et al

vs copy of
Dec.

Gale et al

Apr. 1879

Porter & Howland
cous

I, Fannie Porter wife of Jas. B. Porter, hereby con-
sent and agree for my said husband to receive any
and all money coming to me under any decrees
or orders in the suit in Chancery now pending
in the Circuit Court of Cole of Wright county
in which Jas. B. Porter wife vs. etc. are plaintiffs,
and Mollie B. vs. etc. are defendants.
Given under my hand and seal this 22nd day
of October A.D. 1880. Fannie. Porter. Seal

State of Va.
Co. of Cole of Wright. } To wit.

I, J. Hart, a Notary Public in & for the State of Va.,
aforesaid, certify that Mrs. Fannie Porter wife of
Jas. B. Porter, whose name is signed to the
above writing, bearing date this day, personally
appeared before me in the County aforesaid and
being examined by me privily & apart from

her said husband, and having the said writing
fully explained to her, she the said Fannie Porter
acknowledged the same to be her act & declared
that she had executed the same willingly
& does not wish to retract it. Given
under my hand this 22nd day of October A.D.,
1880,

C. H. Hart, M.D.

Received of J. B. Porter & Geo. W. Wooddell
the sum of \$24.27 1/2 each, due in from
the collection of the second bond. Taken by
them and collected under decree of the
circuit court in the suit of Porter & wife
against Gale and others, as shown by
the above statement.

R. C. Gale. Clerk
Thos. P. Gale
Jas. W. Gale

54280
3535

1878.

To J. C. DARDEN, Treasurer of Isle of Wight County, Va., Dr.

RECEIVED PAYMENT.

J. C. Douvan
per C. H. H. H. H.

Treasurer.

Deputy Tr.

June 13/79, \$5-88 amt. State tax pd: in Coupons by Jas. B.
 Porter, C. H. Hart, Dy: Tr.

5-60
 26
 5-88

11/11

Porter Jas B, indom

I have this day recd of J. B. Porter
& Co. in London the sum one hundred
& seventy five dollars & fifty five cents
on my word. Mollie B. Sale it being
the sum due her for the collection
of the sum of bonds taken by her
and called in under clause of the
certain order in the name of Porter and
wife B. Sale & Co. is shown
by record in said court given out
by me this

J. B. Porter & Co.

I have this day received of J B Porter &
G M Wadswell the sum of 29 ²⁷/₁₀₀ Twenty
nine Dollars & Twenty seven cents for
Each of my words Geo Gale & Lelia Gale
and Anna Gale it being the amount
due them for the Collection of the
recor bond taken by them and secured
under the decree of the Circuit Court in
the suit of Porter & wife vs Gale & others
as shewn by record in said suit
Given under my hand this 16th of November
1877

Guardian
Geo Gale Lelia Gale Anna Gale
Mary, C, Gale

In the Circuit Court of the State of West Virginia.
James B. Porter & wife Plaintiffs

vs.

$\frac{3}{4}$ In Chancery.

Mollie B. Gale & others Defendants

Pursuant to a decree of the said court rendered at October Term, 1880, in this cause, the undersigned commissioners therein appointed report to the court that they have received from the clerk of the court the bond Charles N. Marshall H. P. Turner for \$460.⁵⁰ dated the 4th day of Dec. 1876, & payable three years from its date, with interest from date, and have collected the same as follows, to wit:

Acct. of principal of bond	\$460.00
Int. thereon four years	110.40
	<u>570.40</u>
From which deduct costs outstanding $\frac{3}{4}$ including deed to purchaser	8.28
	<u>562.12</u>

Deduct comm. on \$110.40 int. on bond	5.52
Leaving for distribution	<u>\$556.60</u>

and which they have distributed as follows, to wit:

To James B. Porter & wife	$\frac{1}{3}$ \$185.53 $\frac{1}{3}$
" Mollie B. Marshall nee Gale	.185.53 $\frac{1}{3}$
" J. B. Porter as adm. of W. H. Barrett & wife	$\frac{1}{3}$ 30.96
" acct. comm. & fund.	\$401.99: \$556.60

To Accts. brot. forward.		\$ 401.99	\$ 556.60
1 " Mrs. Gale	1/18	30.92 3/4	
1 " " Geo. Gale	1/18	30.92 1/6	
1 " " Wm Gale	1/18	30.92 1/6	
" " Selia Gale	1/18	30.92 1/6	
" " Anna Gale	1/18	30.92 1/6	
		<u>\$ 556.60</u>	<u>\$ 556.60</u>

Which amounts due the parties
we have paid to them as will
be seen by their receipts here-
under correction.

Given under our hand, the
12th day of April 1881.

James B. Porter
Geo M Waddell

Read of J. B. Porter & G. M. Waddell
concern. The amounts due us
respectively as shown by the
foregoing statement and report.

George F. Gale,
William A. Gale
John W. Gale

Mary C. Gale
M. B. Marshall

C. A. Marshall

James B. Porter & Geo
Wm. B. Waddell

Porter wife
May 24th Chy.
Gold at 27.

Report of
J. J. & Co. & Co.
Treasury
1

James B. Porter and Hor M. Waddell
Wise for to my husband J. B. Porter
any money that may be in their
hands due from the sale
of ^{my} land in name of Porter & wife
J. B. & all and owing ^{under} my hand
This 20 of Apr 1884.

Fannie E. Porter.

State of Va

Jeh of Wight Co, to wit; I be M Waddell a Notary Public
for the County of State aforesaid do hereby certify that
Fannie E. Porter whose name is signed to the above writing
has acknowledged she came before me in my capacity
before under my hand this 21st of Apr 1884
J. B. Waddell

I have this day received of J B Porter and S W
Waddell \$185.33 1/3 the same being the amount due
my wife from the said Porter & Waddell (as comes) in
the suit of Porter & wife vs. John & Co,

Witness my hand this 21st day of Apr
1881

James J Porter

In the Circuit Court of Sale of Wright County
Apr 1876

Porter & Wife }
vs } In Chsp.
Hall & others }

This cause came on this day
to be again heard on the papers formerly
~~heard~~ read, and on the report of the
Commissioners of partition made under
the decree herein of Octr term last,
and was argued by counsel; On consider-
ation whereof the Court doth recommend
the said report to the said Commis-
sioners, with instructions to take evidence
as to the matters required to be reported,
and return the same with their report
to be made under this decree.

Porter & Wife
V 3 Dec 1867 for
further report of
Carr,
Gale & Wicks

Apr - 1867

to be entered

Geo. P. B. 1867

Entered (29)

Porter & Wife

ps } Sew for
distribution

Gale & D.L.

Apr. Term 1877

To be entered

Geo. V. Blood.

Entered 20.

B. Gale, one third, and to Wm H Borritt
in right of his wife Emily (late Gale)
John Gale, William Gale, Geo Gale and
Annie Gale the other third, paying
the amount due to the said Fannie
Porter & Emily Borritt to their respec-
tive husbands upon their consent,
being taken and certified by a justice
or Notary public and filed in this
cause, and the amount due to the
respective infants Mollie B Gale, Geo.
Gale, William Gale, Geo. Gale, and Annie
Gale, to their legal guardians if any
and if no such guardians, then they
shall deposit the amount due them
in the Farmers & Merchants Savings
Bank Smithfield Vt., to the credit
of said infants, taking certificates,
of such deposits as well as receipts
from the parties paid, and return
said Certifs. and receipts to the
Court with their report of their
proceedings under this decree

Porter & wife }
vs } In Chz,
Gal. & Its. }

This cause came on this day to be again heard on the papers formerly read and on the report of sale made by James B Porter and Geo M Waddill Comrs. of sale under the decree herein of the Oct term 1876, and was argued by counsel; on consideration whereof, the Court doth adjudge, order and decree that the said report to which no exceptions have been filed, be confirmed, And it appearing by the said report that there is in the hands of the said Comrs., remaining of the cash payment for the land sold by them, after paying out the costs of suit and expenses of sale the sum of (\$351. 72) Three hundred and fifty one dollars and seventy two cts., the Court doth further adjudge order and decree that the said Comrs. Porter & Waddill distribute the said sum of \$ 351.72 to the parties plaintiffs & defendants as follows to wit; To J. B. Porter in right of his wife Fannie Porter one third, to Mallie

and at three other public places, in
said County (twenty days) sell the
said Tract of land of which Nancy Wyzel
deed seized and possessed, consisting of
one hundred acres near the C. & F. of said
County and adjoining the lands of Geo. F.
Hall and others, at public auction, at Isle
of Wight C. & F. on some Court day for
one fourth Cash and the balance in one,
two and three years, and for the Credit por-
tion three of shall be taken bonds with
sufficient security and a waiver of the
homestead exemption, the bonds bearing
interest from day of sale, and return the
same to Court with a report of their pro-
ceedings. That Geo M Wadell shall be
paid, out of the Cash payment \$ 30.00 for
his services as attorney in the cause. The
cost of the suit shall also be paid out
of the Cash payment. The said
Commissioners shall not proceed to act
under this decree until they shall have
entered into bond in the penalty of
\$ 150.00 with sufficient security and waiver
of the homestead exemption, in the Clerk's
Office of this County, payable to the
Commonwealth of Virginia for the
faithful discharge of their duties
as commissioners, apm?

James B. Porter & Wife
yrs } Repeat & Dr.
Comas and others
for sale
Rough Dr.

Gates & Co.

Oct. Term 1874

To be entered

Geo. B. Scott

Ent. (18)

Ind of Weight Circuit Court Oct 24/1877

Porter & wife

vs

Eale & als.

} In Chy.

This cause came on ^{this day} ~~again~~ to be again heard on the papers formerly read and on the report of Distribution made by James B Porter and his, Mr, Waddell Com., under the decree here of the Apl term 1877, and was argued by Counsel, on consideration whereof the Court doth adjudge order and decree, that the said report, to which no exceptions have been filed, be confirmed, and and the Court doth further adjudge order and decree that the said Com- Porter and Waddell shall receive from the CLK of this Court the bond of Lehas. W. Marshall and R. R. Turner, herewith filed, dated Decr the 4th ¹⁸⁷⁶, and due the 4th day of Decr 1877, the same being the second payment for the land in this cause mentioned, and collect the same and report ~~to~~ to the Court their proceedings under this decree.

Porter & Wipe

Wipe

Gale & Co.

Oct Term 1877.

To be entered

Geo. P. Blow.

Entered 1877

Seal of High Circuit Court. Dec. 25th 1877.

James J. Porter and wife et al.
vs J. L. Chy.

Plffs.

Molly J. Lee. M. H. Garrett vs

Defts.

This cause came on this day for
again heard, on the papers formerly
read, and on the report of distribution
of James J. Porter and Geo. M. Maddie
Commrs. under the decree herein of
April term 1877. was argued by counsel,
on consideration whereof, the Court
doth, advise, order and decree
that said report & which resolutions
have been filed be confirmed, & the
Court doth advise, order and decree
that the said legume. Porter & Maddie
shall receive from the Clerk of this Court
the bond of Charles W. Marshall and
P. R. Turner herewith filed, dolet Decr.
4th 1876, and on the 4th day Decr. 1877.
the same being the second payment
for the land in this cause mentioned
and collect, and collect the same, &
report to Court their proceedings
under this decree.

a copy

Teste.

M. A. Edwards D.C.

Porter and wife
or {the Ches. copy de.
of Octo. Ch. 1877

Gale et al

"

"a copy"

Porter & K. 1877

In the Circuit Court of Isl of Wight County
Oct 1875-

James B Porter & Wife

Plaintiffs

vs

Martin B. Gale, Wm H. Borrett & Wife, Sus Gale
Wm Gale, ^{his wife} & Annie Gale, infants under the age of
twenty-one years by N P Young, their guardian
ad litem, assigned to defend them in this suit,
defendants.

This cause came on this day to be
heard upon the original bill, taken for confessed
as to the adult defendants, the answer of the
infant defendants by N P Young, their guardian
ad litem, with replication thereto and was argu-
ed by counsel; on consideration whereof the
Court doth order that George F. Whitley, Wm
A. Womble, Wm H. Porter, E. L. Holland & J. H. Hart,
who are hereby appointed Commissioners
for the purpose, any three of whom may act,
having been first duly sworn, do proceed to
lay off and divide the real estate, of which
Nancy H. Gale died seized and possessed, consis-
-ting of a tract of one hundred acres of land,
near the Court house of Isl of Wight County
and adjoining the lands of Geo. F. Hall and others.
first into three equal parts, then one of these
parcels into five parts so that the parties
entitled thereto can draw their portions

as directed under the will of the said Nancy
Ozzyell. But if the said Commissioners should
find it impracticable to divide the said
land among the aforesaid parties, or should
be of opinion that ^{the} interest of the said
parties would be more promoted by a
sale of the same, in such case, they are
required to report the facts upon which their
opinion is based, to the Court, and also what
in their opinion is the fair simple value of
the whole of the real estate of which the
said Nancy Ozzyell died, ^{seized} and possessed: and in
either case they are required to report their
proceedings under this order to the Court.

For the 4th Jan

Dec 20 1871
Wm. B. R. T. T. T.

Spide and Abby —

W. de C. de C.

Madison

Pinel 48

Porter & wife

vs

Hale & alts

dec
This cause came on this day to be again heard on the papers formerly made, and on the report of distribution made by J B Porter and Geo. M. Waddell Commrs. under the decree, heretofore filed, of the 4th term 1878, and was argued by counsel; on consideration whereof the Court doth adjudge, order and decree that ~~that~~ said report, to which no exceptions have been filed, be confirmed. And the court doth adjudge order and decree that the said Commrs Porter & Waddell shall receive from the CLK of this Court the bond of Chas. H. Marshall & P R Turner, heretofore filed, dated Dec 4th 1876 and due the 4th day of Dec 1878, the same being the 3rd payment for the land in this cause mentioned, and collect the same and pay over the same to the parties plaintiffs and defendants, as follows to wit: To J B Porter in right of his wife Fannie E. Porter, one third, to Mollie B Hale one third, and to Wm H Bonnell in right of his

wife Emily (late Hale) John Hale, William
Hale, George Hale, Liza Hale and Annie
Hale the other third; paying the amount
due to the said Fannie E. Pertso and
Emily Barrett to their respective
husbands upon their consents being
taken and certified by a justice of
the Peace or Notary Public and filed
in this cause and the amount due
to the respective infants Mollie B.
Hale, Sus Hale W^m Hale, George Hale,
Liza Hale and Annie Hale to their
legal guardian if any, and if no such
guardian, then they shall deposit the
amount due them in the Smithfield
Bank to be credited to said infants
taking certificates of such deposits
and report to court their proceedings
under this decree —

Porter & Wife

{ Report of Comm.
Porter & Waddell
& Duane to Collect
and distribute

Ball & Bath

460
27

1,66
920

960
460.

500

April Term 1879

to be entered

Geo. B. Wood

Entered 15
—

Porter & Wife } In the Circuit Court of Feb
vs } of Wight Co 7th at the
Sale & as } 6th term 1880

✓ This cause came on this day to be again heard on the papers formerly made, and on the report of distribution made by J B Porter & Geo W Waddell (Comrs) under the decree of this court at the Aprl term 1879, and was argued by counsel; on consideration whereof the court doth adjudge, order and decree that the said report, to which no exceptions have been filed, be confirmed. And the court doth adjudge, order and decree that the said Comms. Porter & Waddell shall receive from the clerk of this court the bond of Chas. H Marshall & P R Turner dated Decr. 4th 1878 and due the 4th day of Decr 1879 the same being the last payment for the land in this cause mentioned, and collect the same & pay over the same to the parties plaintiffs & defendants, as follows, to wit; To J B Porter in right of his wife Fannie & Porter one third. to Mother B Sale one third. to W H Boutwell in right of his wife Emily (Sale Sale) two thirds.

William Gale, Geo. Gale, Selia Gale and
Annie Gale the other third. Paying
the amount due the said Fannie & Peter
Emily Beattie & Mollie B Marshall
(late Gale) to their respective husbands
upon their consent being taken and
certified by a justice of the peace or
Notary Public and filed in this cause
and the amount due to the respective
infants Geo. Gale, W^m Gale, George Gale,
Selia Gale and Annie Gale, to their legal
guardians if any and if no such guardian
then they shall deposit the amount
due them in the ^{Farmers & Merchants Savings Bank at} Southfield Bank
to the credit of ^{the} ~~the~~ ^{of} ~~the~~ ^{of} said
infants, taking certificates of such
deposits and ^{report} ~~report~~ ^{there} ~~to~~ ^{with} ~~the~~ ^{the}
proceedings under this decree

Porter & Wife

no { Secrecy to Col
Act & Distribution

hole & als

Old Term 1880

To be entered

Geo. B. Blow.

Entered 35)

Porter & wife } In the circuit Court of Ark of
vs } Wright les Dr at the Apr. term
Gale and als. } 1881

This cause came on this day to be again
heard on the papers formerly read and
on report of distribution made by J.B.
Porter and Geo M Wooddill (Clerks) under the
decree of this Court at the Apr term 1880,
and was argued by counsel, on considera-
-tion the Court doth adjudge, order and
decree that the said report, to which no
exceptions have been filed be confirmed,
and it appearing from the papers in
this cause, that all the money, for which
the lands were sold, has been collected
and distributed to the parties entitled
to the same, the Court doth further
adjudge order and decree that the said
(Clerks) Porter & Wooddill, make to Geo.
N. Marshall the purchaser of the lands,
in this suit mentioned, a deed to the
same, and it is further ordered and
decree that this suit be dismissed
from the docket.

Porter & wife
vi { Dr. & wife
{ report of Dr. &
{ dismission
Col. & all but for Dick

Apr. Ten 1881

To be entered

Geo. T. Shon,

Entered

In the name of God, Amen. I, Nancy Myzell
of the county of Isle of Wight and State
of Virginia, being in a weak state of health,
but of sound mind and disposing mem-
ory, do make this writing my last will
and testament, in manner following, to wit:
I lend to Emily Gale, the widow of Buxton
W. Gale decd, for and during her life or
widowhood, all my estate, real & personal,
except what I may herein otherwise
bequeath and give away, to assist her
the said Emily Gale in raising and schooling
her three youngest sons, to wit: Robert, Peter &
Buxton. But it is my positive direction that
neither my land nor negroes shall be sold,
but be kept together by the said Emily Gale,
during her single life, and managed to the
best advantage for the aforesaid purpose.
And should the said Emily Gale either
marry, or die before her youngest son, to wit:
Buxton Gale, attains the age of twenty one
years, then it is my desire, and I will that
Nathaniel Young manage the property hereby
loaned the said Emily, for the same purpose
above mentioned. and he is directed further,
if he has to act, to let said Emily Gales two
daughters, Fanny and Christina, live in my
house so long as they are single, or until the

said youngest son of said Emily Gale shall
attain the age of twenty one years: and
then it is my will that all my land and
negro, and all other of my estate hereby bequeathed
as aforesaid, shall be divided equally between
the said Emily Gales children, namely, Fanny
Gale, ^{with her children} Christina Gale, Robert Gale, Peter ^{without children} McGale,
and Buxton Gale, to them and their heirs
forever. Item, I give and bequeath unto
Pleasant Gale one bed and furniture and
forty dollars in cash, to him & his heirs forever.
Item, I hereby emancipate and set free my
male slave named William, so soon as this my
will is admitted to record, until which
time he is to remain on my land as my
other slaves. I request that whenever a
division of the property hereby bequeathed to
Emily Gale, shall become necessary under this
will, that there shall no sale be made of
either my land or negro, but that said
Nathaniel Young shall, in the best manner
he can, make a division thereof as before
directed. Lastly - I appoint Emily Gale afove-
said and Nathaniel Young Executors & Executor
of this my last will and testament, and request
that the Court will not require security
of either of them when they qualify to this,
my will. In witness whereof I have hereunto

set my hand and affixed my seal, this 22^d
day of February in the year 1841.

signed, sealed, published & Nancy Uzzell *(seal)*
and declared as & for the

last will of Nancy Uzzell

in the presence of us

Alfred G. Turner

W^m W. Joyner

James J. Driver

Narrick Turner

3

Now all men t. that I Nancy Uzzell do
hereby make this as a codicil to my
last will and testament, To wit: I hereby
revoke and make null & void that clause
of part of my will wherein I give & bequeath
Gale one bed and four hundred and forty dollars
in cash, and I do further direct that he
shall not receive any portion of my estate.
In testimony whereof I have hereunto set my
hand and seal to this codicil to my said
will, made and signed by me on the 22^d-
day of February 1841, on this 12th day of June 1841.

Witness

Nancy Uzzell *(seal)*

J. M. Young

N. P. Young

3
3

In Isle of Wight County Court, February

1st. 1847. The last will and testament
of Nancy Appell died: together with the codicil
to said will was presented in Court by Emily
Gale the Executrix therein named proved by
the oath of W. W. Jorgner & James J. Driscoll of
the witnesses to said will, and by the oath of
James M. Young & N. P. Young the witnesses to said
codicil, and ordered to be recorded.

Teste A. D. Young clk.

Attest.

Teste, A. D. Young clk.

Nancy Appell's Will

a copy.

Porter proofs

W. W. Jorgner

James J. Driscoll

(Exhib. A.)

Know all men by these presents, That we James
B. Porter, Geo. M. Waddell, & W^m. O. Womble are here
& firmly bound unto the Commonwealth of
Virginia in the sum of Fifteen Hundred
Dollars to the payment whereof, well and
truly to be made, we bind ourselves, our Heirs,
Executors & Administrators, jointly & severally,
firmly by these presents. As witnesses our hands
& seals, this 30th day of Nov. in the year of our
Lord, one thousand eight hundred and
seventy six. And we each waive the benefit
of our homestead exemption as to this debt.
The condition of the above obligation is
such, That whereas, by a decree of the Circuit
Court of Isle of Wight County, pronounced on
on the 21st day of Oct. in a cause depending
in ^{the} said Court, in which James B. Porter & wife
are Plaintiffs, & William H. Barnett & wife and
the children of R. W. Ball decd. et al are defendants.
The above bound James B. Porter, & Geo. M. Waddell
was appointed special commissioners
to sell the land of Nancy Hugel decd. in the
proceedings mentioned, & make report of
their proceedings to the Court &c.
Now, if the above bound Jas. B. Porter & Geo. M. Waddell
shall faithfully their duties as commissioners under
the said decree, then the above obligation to be
void, otherwise to remain in full force & virtue.

signed & sealed & delivered. } Jas. B. Porter
in the presence of } Wm. Wadswell
A. J. Young. } W. D. Womble

Seal
Seal
Seal

A copy Teste.

W. A. Edwards D.C. for
A. J. Young clerk

Porter & wife
Comman.
vs } ~~Edward~~
} Bond.
} copy.

Barnes et als.

Nov. 10th 1876. This

Bond was executed
and admitted to record.

Teste,

W. A. Edwards D.C.
for A. J. Young clerk.