1905-001 Chancery Causes - Lucy A. Bradshaw, James M. Bradshaw & d Vs Eugenia B. Lay,
Isle of Wight County widow of John M Lay & al

other surnames: Eley, Warner,
Butler, Duck, Holland
Richmond

Bradshaw et. als.

vs. } Bill of Complaint

Hay et. als.

1st February Rules 1899

Bill filed, Subpoena, and Ex
ecutive Writ issued, and de
livered to Sheriff.

2d Feby Subpoena returned Executed

March. 9th Rule for Proof

April 25th 1899 Rule for Proof

Oct. 23rd 1899. Commissioner, Special Master and

Solr. Commissioner to Examine Witnesses

April Term 1903. Commissioner reported Proofs.

In the Circuit Court of Isle of Wight County, Virginia:

Lucy A.Bradshaw and James M.Bradshaw her husband; J.L.Gay; Benj.P.Gay; Sallie B.Eley and Geo.W.Eley her husband; Ballie E.Warner and J.L.Warner her husband; vs.

Eugenia B.Gay widow of John M.Gay deceased; John L.Gay and Benj.P.Gay trustees; Annie Maud Gay; Keneth Floyd Gay; Zenas A.Gay; Leland I.Gay and James Alton Gay; the last five named are infants under the age of twenty one years.

To the Hon Robert R.Prentis, Judge of the Circuit Court of Isle of Wight County.

The aboved named plaintiffs humbly complaining show to the court.

That on the 3rd day of January I899 John M.Gay departed this life intestate leaving the following children and grandchildren,namely, eight children as follows: Lucy A.Bradshaw who was Gay, John L.Gay, Benj.P.Gay, Sallie B.Eley who was Gay, Ballie E.Warner who was Gay, Annie Maud Gay, Keneth Floyd Gay, and Zenas A.Gay; and the following grand children, namely, Leland I.Gay and James Alton Gay, sons of James S.Gay who died intestate several months before his father, the said John M.Gay, and a widow Eugenia B.Gay, as his sole heirs at law and distributees. That said John M.Gay died possessed of a considerable personal estate far in excess of any debts he may owe, and also seized and possessed in fee-simple of the following real estate situate, lying and being in the county of Isle of Wight in the state of Virginia:

First, a tract known as "the Home Tract" whereon said John M.Gay lived and died said to contain 250 acres, more or less, about two miles from Windsor Virginia, and which is bounded by the lands of D.B.Roberts, Jos.H.Duck, occupied by Isaac Jones colored, J.H.W.Bridger and others, and by the county road leading from Windsor to Antioch Church, and for a short distance, by the county road leading from Windsor to Black Water Bridge.

Second; A lot in the town of Smithfield occupied by J.L.Warner, a son-in-law of the said deceased, as a store house. There was an agreement between the said John M.Gay and the said J.L.Warner for the sale of said lot, that he, the said J.L.Warner, was put in possession as the owner but no deed had ever been made to him, nor had he paid any of the purchase price therefor except some interest.

Third, A tract of land said to contain I09[illegible].I/2 acres by survey knows as the "Pocosin Tract" which was conveyed to the said John M.

Gay by a deed from Caldwell Hardy Special Commissioner, an office copy of which is herewith filed as an exhibit marked NO.IO and prayed to be taken and read as a part of this bill. The said John M.Gay, in his lifetime, bargained with some parties to sell them different small parcels of this land, and put the said parties in posssession, and it is the desire of your complainants that the said parties have a deed for the different parcels by them so purchased, provided they pay for the same as agreed. On this last tract of land the said John M.Gay was up to his death opefating a saw-mill, and, under a contract between the said John M.Gay and his son B.P.Gay, one of your complainants, the rest of the timber on the said tract, as well as some other parcels of timber bought in the same locality by the said John M.Gay , is to be manufactured. It will require about one year to complete the manufacture of the said timber, and the sale of this tract will be impracticable till the said timber is all manufactured, and the said saw-mill or such parts thereof as belong to the said estate can be sold.

Fourth, A tract of land said to contain one hundred acres, more or less, and which is bounded by the lands of Jno.N.Bryant, J.G.Johnson and the estate of James S. Gay deceased, and was conveyed to the said John M. Gay by a deed from Benjamin Butler and Jno. G.Duck trustees, the original of which deed is herewith filed as an exhibit marked NO.I2, and is prayed to be taken and read as a part of this bill of complaint.

Your complainants say that the said widow, Eugenia B.Gay, was the third wife of the said John M.Gay deceased, and has no child, the children above named being the children of the first and second marriages, and who expressly declaring her purpose not to take and accept what the law gives her, she made, executed and acknowledged a certain writing, an office copy of which is herewith filed as an exhibit marked "C" and is prayed to be taken and read as a part of this bill of complaint, by reference to which it will appear that the said widow relinquishes all her rights and interest in and to the said real and personal estate upon condition that she shall receive one tenth of the net proceeds of the rental and sale of the said real estate, and one tenth of the personal estate.

Your complainants say that the said Annie Maud Gay; Keneth Floyd Gay; Zenas A. Gay; Leland I.Gay and James Alton Gay are all infants under the age of twentyone years.

Your complainants say that the said land cannot be partitioned among the parties thereto entitled without serious loss and injury, and your complainants desire that it be sold

and the proceeds of the sale be divided among the adults and infant parties according to their respective rights; the shares of the infants to be held as directed by the Statute in such case made and provided. Your complainants believe, and here state, that the interest of those who are entitled to the said real estate, or its proceeds, will be prmoted by a sale of the whole in parcels.

For as much as your complainants are remediless in the premises save in this honorable court where such matters are alone and properly cognizable, they pray that Eugenia B.Gay, widow of the said John M.Gay deceased; John L.Gay and Benjamin P.Gay trustees; Annie Maud Gay; Keneth Floyd Gay; Zenas A. Gay; Leland I.Gay: and James Alton Gay, the last five of whom are infants under the age of twenty-one years, be made parties defendants to this bill and required to answer the same , an answer on oath is hereby expressly waived, that a proper guardian ad litem be appointed in this cause for the said infants who shall also answer this bill, that proper process issue, that the said real estate be sold and the proceeds of sale be divided among those entitled, that if it shall appear that any part or parts of the said real estate was sold by the said Jno. M.Gay, in his lifetime, and the party or parties to whom sold shall and will pay the unpaid purchase price therefor, then your complainants pray that a good and sufficient deed be made to them for the land so purchased and paid for; that all proper orders and decrees may be made, that all proper consel fees may be allowed to the complainants,s counsel in this cause, notice that the same will be asked for is hereby given; that all proper accounts may be taken, enquiries directed, and, that all such other, further and general relief may be granted as in the premises may seem right and as to equity and good conscience may seem meet. And your complainants will ever pray &c.

Wm.S.Holland, P.Q.

B P Gay

Lucy A. Bradshaw et. als

vs

Eugenia B.Gay, widow of Jno. M.Gay deceased et. als.

1901

Petition filed Oct. 28th by leave of court to make deed to Sam.H. Holland for a tract of land bought by him in the lifetime of the said Jno.M.Gay.

Lucy A. Bradshaw et. als.

vs

Eugenia B.Gay et als.

Your pettitoners, the complainants in this suit, respectfully show to the court that Samuel H.Holland bought from John M.Gay in his life time a certain tract of land in the county of Isle of Wight county in the state of Virginia, and had a contact in writing, the original of which is herewith filed as a part of this petiton, which will give a full description of the said land at the price and sum of four hundred and twenty five dollars; that the said Sam.H.Holland paid to the said Jno. M.Gay in his lifetime two payments on the said land as will appear by his receipts herewith filed and gave to the said Jno. M.Gay a bond for the rest, and that the said Jno. M.Gay gave no deed but put the said Holland in posssession as alleged in the bill and prmised to give him a deed when the rest of the purchase price should be paid in full; that in a partial settlement of the estate of the said Jno. M.Gay deceased the said bond evidencing the debt for the rest of the purchase price of the said land was paid to Sallie B.Eley, one of the children and heirs at law of the said Jno. M.Gay deceased, and that the said bond has been full paid to the said Sallie B. Eley as shown by the receipt herewith filed; and that the said Sam. H.Holland is entitled to a deed for the said tract of land.

Now, therefore, your petitioners pray that a special commissioner may be appointed to make, execute and deliver to the said Sam. H. Holland a good and sufficient deed for the lands in the ~~xxxxxxxx~~ said contract in this petition mentioned.

And your petitioners will ever pray etc.

Oct Ist 1901

Lucy A. Brads Law and B.P. of L.
Gay adms. J. M. Gay dec'd et. als.
Plaintiffs in this suit. by W. S.
Holland their Attorney.

Form No. 35.

Ray and others

adv.

ANSWER
OF
INFANT DEFENDANT.

Bradshaw et. als.

Filed Feby 11th 1899

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va. Form No. 35.

In the Circuit Court for the County of Nansemond,

to wit:

THE ANSWER OF Annie Maud Kay; Kenith Floyd Kay; Jonas A. Kay; Leland L Kay; and James Alton Kay

infants under the age of twenty-one years, by Edward E. Holland guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the Circuit Court for the County of Isle of Wight, by Lucy A. Bradshaw and others.

The respondents, reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say that they are infants of tender years, and by reason of such disability are incapable of understanding, or of taking care of their rights and interests, they therefore commend the same to the protection of the court, and prays that no decree may be pronounced which will tend to their prejudice.

And having answered, the respondents pray to be hence dismissed with their reasonable costs, in this behalf expended; and they will ever pray, &c.

E E Holland Guardian *ad litem.*

Wm S. Holland p. d.

County of Nansemond OF } *ss.*

This day, E E Holland, Guardian ad litem, whose name is signed to the foregoing answer, personally appeared before me, and made oath that the statements made therein, so far as they depend upon his own knowledge, are true, and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this 9th day of July 1899

R A Rawles N. P.

Form No. 300.

J. L. Foy

vs. { SUBPOENA IN CHANCERY.

p. q.

To _____ *Rules,*

_____ *Court.*

I hereby accept legal and sufficient service of this summons, and waive service thereof by an officer.

John L. Foy

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon Eugenia B. Gay widow of John M. Gay deceased, John L. Gay and Benjamin P. Gay Trustees Annie Maud Gay; Kenick Floyd Gay; Texas A Gay; Leland I. Gay and James Alton Gay the last five named are infants under the age of twenty one years.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the First Monday in February, 1894, to answer a bill in Chancery, exhibited against them in our said Court by Lucy A. Boodhan and James M. Brodhan her husband; John L. Gay; Benjamin P. Gay; Sallie B. Eley and George W. Eley her husband; Ballie E Warren and J. L. Warren her husband

And have then there this writ. Witness, M. F. Young Clerk of our said Court, at the court-house, the 2d day of February 1894, and in the 123 year of the Commonwealth.

M. F. Young c.c.

A copy Teste M. F. Young c.c.

Form No. 300.

Lucy A Brockman et als

vs. { SUBPOENA IN CHANCERY.

Gay et als

Wm L. Holland p. q.

To First February Rules,

Circuit Court.

Executed on the 1st day of February A.D. 1899 by reading to the within named Wm L. Holland the within subpoena. This 6th day of February A.D. 1899.

R. A. Lucas
Sheriff

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, That you summon Eugina B. Gay widow of John M. Gay deceased: John L. Gay and Benjamin P. Gay trustees: Annie Maud Gay; Kenneth Floyd Gay; Jenad A. Gay; Leland I. Gay and James Alton Gay, the last five named are infants under the age of twenty one years.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the First Monday in February, 1899, to answer a bill in Chancery, exhibited against them in our said Court by Lucy A. Bradshaw and James M. Bradshaw her husband; John L. Gay; Benjamin P. Gay, Sallie B. Eley, and George W. Eley her husband; Ballie E. Warner and J. L. Warner her husband.

And have then there this writ. Witness, N. F. Young Clerk of our said Court, at the court-house, the 2d day of February 1899, and in the 123 year of the Commonwealth.

N. F. Young c.c.

Bradshaw et als
vs.
Gray et als

Filed April 14. 1899

Bradshaw, et als.
v.
Gay, et als.

Commissioners notice &c.

Commissioners Office.
Isle of Wight C.H.,Va.,March 11th.1899.

To,Lucy A.Bradshaw and James M.Bradshaw her husband;J.L.Gay, Benjamin P.Gay,Sallie B.Eley and Geo.W.Eley her husband,Ballie E. Warner and J.L.Warner her husband Plaintiffs,
and to,
Eugena B.Gay widow of John M.Gay deceased,John L.Gay and Benj.P. Gay trustees,Annie Maud Gay,Keneth Floyd Gay,Zenas A.Gay,Leland I.Gay and James Alton Gay,the last five named being infants under the age of twenty-one years. Defendants.

Take notice that I have fixed upon the 25th day of March 1899,at my office aforesaid,to take,state and report the following inquiries and accounts to-wit:

1st.The annual and fee simple value of each parcel of land in the bill and proceedings mentioned,

2nd.Whether said lands can be partitioned in kind among the parties entitled thereto?,

3rd.What part or parts of said land did John M.Gay,in his life time,contract to sell,and to whom?

4th.Is there any liens,for taxes or otherwise,on said lands or any interest therein?If so,state an account of such liens with their priorities,

5th.Any matter deemed pertinent by said commissioner or which any party in interest may require to be so stated,required to be taken by a decree of the circuit court of Isle of Wight county,rendered on the 9th day of March 1899,in a suit in chancery pending therein in which you are parties,plaintiff and defendant,at which time and place you are required to attend.

Given under my hand as a commissioner in chancery of the said court,this 11th day of March 1899.

Samuel H. Edwards
Commissioner in chancery.

Due,legal and sufficient service of the above notice acknowledged.

March 13th 1899

E. L. Holland
Guardian ad litem infants
defendants

Lucy A. Bradshaw, Jos. M. Bradshaw, J. L. Gay, Benj. P. Gay, Sallie B. Eley, Geo. W. Eley, Ballie E. Warner, J. L. Warner by Wm S. Holland their attoy.

Bradshaw et als.
v.
Gay et als.

Commissioners Notice
to take accounts.

Executed on 12th
day [illegible]
[illegible] day [illegible]
[illegible] to [illegible]
of the testator Martha
C. Cook Deceased
1879. [illegible]

To,Lucy A.Bradshaw and James M.Bradshaw her husband;J.L.Gay;Benjamin P.Gay;Sallie B.Eley and Geo.W.Eley her husband;Ballie E.Warner and J.L.Warner her husband. Plaintiffs.

and to,

Eugena B.Gay widow of John M.Gay deceased;John L.Gay and Benj. P.Gay trustees;Annie Maud Gay;Keneth Floyd Gay;Zenas A.Gay;Leland I. Gay and James Alton Gay;the last five named being infants under the age of twenty-one years. Defendants.

Take notice that I have fixed upon the 25th day of March 1899, at my office aforesaid to take,state and report the following inquiries and accounts to-wit:

Ist.The annual and fee simple value of each parcel of land in the bill and proceedings mentioned.

2nd.Whether said lands can be partitioned in kind among the parties entitled thereto?.

3rd.What part or parts of said land did John M.Gay,in his life time,contract to sell,and to whom?.

4th.Is there any lien,for taxes or otherwise,on said lands or any interest therein?If so state an account of such liens with their priorities.

5th.Any matter deemed pertinent by said commissioner or which any party in interest may require to be so stated,required to be taken by a decree of the circuit court of Isle of Wight county,rendered on the 9th day of March 1899,in a suit in chancery pending therein 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 the said court this IIth day of March 1899.

Samuel H. Edwards

Commissioner in chcy.

als.

's notice &c.

All Available Text Successfully Captured

Isle of Wight C.H., Va., March 11th. 1899.

To, Lucy A. Bradshaw and James M. Bradshaw her husband; J.L. Gay; Benjamin P. Gay; Sallie B. Eley and Geo. W. Eley her husband; Sallie E. Warner and J.L. Warner her husband. Plaintiffs,

and to,

Eugene B. Gay widow of John L. Gay deceased; John L. Gay and Benjamin P. Gay trustees; Annie Maud Gay; Keneth Floyd Gay; Zenas A. Gay; Leland I. Gay and James Alton Gay; the last five named being infants under the age of twenty-one years, Defendants.

Take notice that I have fixed upon the 25th day of March 1899, at my office aforesaid, to take, state and report the following inquiries and accounts to-wit:-

1st. The annual and fee simple value of each parcel of land in the bill and proceedings mentioned,

2nd. Whether said lands can be partitioned in kind among the parties entitled thereto?,

3rd. What part or parts of said land did John L. Gay, in his life time, contract to sell, and to whom?

4th. Is there any liens, for taxes or otherwise, on said lands or any interest therein? If so state an account of such liens with their priorities.

5th. Any matter deemed pertinent by said commissioner or which any party in interest may require to be so stated; required to be taken by a decree of the circuit court of Isle of Wight county, rendered on the 6th day of March 1899, in a suit in chancery pending therein in which you are parties, plaintiff and defendant, at which time and place you are required to attend.

Given under my hand as a commissioner in chancery of the said court, this 11th day of March 1899.

Samuel H. Edwards
Commissioner in chancery.

A Copy.
Teste:
Samuel H. Edwards
Comr.

I hereby accept due and legal service of this notice.
March 13th 1899

John L. Gay X

Sign here with ink

All Available Text Successfully Captured

An account of the fee-simple and annual value of the lands of which John M.Ray died seized and possessed:

First. A tract known as the "Home Tract" whereon the said John M.Ray lived and died, containing two hundred and fifty (250) acres, more or less,- Fee-simple & Annual value near Windsor Station, Virginia: $ 3000.00 $200.00

Second. A tract of one hundred (100) acres, adjoining the lands of John ..Bryant & others---------$300.00-----$30.00

Third. A tract of 109 1/2 acres known as the "Pocosin Tract"----------$1500.00----$100.00

Fourth. A lot in the town of Smithfield---------- --$1500.00---$150.00.

C O M M I S S I O N E R S O F F I C E

I S L E O F W I G H T C . H . , V I R G I N I A,

M A R C H 27th. 1 8 9 9:

To the circuit court of Isle of Wight county.

Pursuant to a decree of the said court rendered on the 9th day of March 1899, in vacation, in the suit in chancery therein pending between Lucy A.Bradshaw and James M.Bradshaw her husband and others, plaintiffs and Eugena D. Ray and others defendants, the undersigned, a commissioner in chancery of the said court, to whom was referred by the said decree the taking, stating and reporting of the following enquiries and accounts to-wit:

1st. The annual and fee simple value of each parcel of land in the bill and proceedings mentioned,

2nd. Whether said lands can be partitioned in kind among

the parties entitled thereto?

3rd.What part or parts of said land did John M. May, in his life time, contract to sell, and to whom?

4th.Is there any lien for taxes or otherwise on said lands or any interest therein? If so state an account of such liens with their priorities.

5th.State any matter deemed pertinent said commissioner or which any party in interest may re quire to be so stated, reports that on the 11th day of March 1899, he issued notices against the said parties requiring them to attend at his office on the 25th day of March 1899, which notices were returned duly served or acknowledged and on that day your commissioner began the taking and stating of the said accounts and enquiries and not having completed the same on that day he continued it from day to day and from time to time until the date of this report when he concluded the same.

Your commissioner reports that the said John M. May died seized, in fee simple, of four several tracts or parcels of land in the county of Isle of Wight, in the State of Virginia; to-wit: one tract of one hundred and fifty (150) acres known as the Home Tract" worth Three thousand(3000) dollars and its annual value is Two hundred (200) dollars; one other tract of one hundred (100) acres worth Three hundred (300) dollars and its annual value is thirty(30) dollars; one other tract of One thousand and ninety and one half 1090½) acres, known as the "Pocosin Tract" worth Fifteen hundred (1500) dollars and its annual value is one hundred (100) dollars and one lot in the town of Smithfield worth

Fifteen Hundred (1500)dollars and its annual value is one Hundred and fifty (150)dollars.

Your commissioner further reports that the said John M. Gay,deceased,in his life time,made a verbal contract with one George E.Newby and one Stephen H.Newby,whereby he agreed to sell unto them,the said George E.Newby and Stephen H.Newby,jointly,a small portion of the 100½ acre tract known as the "Pocosin Tract",containing by estimation forty (40)acres,more or less,bounded and described as follows to-wit;on the North by the new county road leading from Longview School-house to Penn's Church;on the East by the lands of Joe Newby,deceased;on the West by the lands of Thomas Griffin and on the South by the lands of of Mrs. Josephine Chapman,upon the following terms and conditions to-wit,-The said George E.Newby and Stephen H.Newby were to pay unto the said John M.Gay the sum of Two Hundred (200)dollars for the said land;ten dollars each to be paid in cash and the balance on a credit of one and two years, without interest.Your commissioner reports that the said George E.Newby and Stephen H.Newby have paid the said sum of ten dollars each,as agreed,upon the purchase price of the said land and have been put in possession of the said land and have made improvements on the same.

Your commissioner further reports that ~~txxx~~ the said John M.Gay,in his life time,also made a verbal contract with one J.L.Warner,a son-in-law of the said deceased, for the sale of the said lot or parcelof land in the town of Smithfield,designated in the foregoing report,for and

in consideration of the sum of Seventeen hundred (1700) dollars to be paid by the said J.L.Warner unto the said John M.Day,which said lot is bounded and described as follows to-wit:Beginning on commerce streetat the line of the lot of Vincent W.Joyner,runs thence down that street in a South Easterly direction towards the ware-house of Joseph C.Goodrich,now occupied by M.F.Jordan,twenty two (22)feet,from thence at right angles in a North Easterly direction down to Pagan Creek;thence up and along that Creek in a North Westerly direction twenty two (22)feet to the line of the said Vincent W,Joyner;thence up and along that line of the said Vincent W.Joyner to the point of beginning on commerce street aforesaid.Fronting twenty two (22)feet on commerce street,twenty two(22)feet on Pagan Creek,and bounded by the lot of the said Vincent W.Joyner on the one side and a vacant lot adjoining the aforesaid ware house on the other,being the same lot conveyed to the said John M.Day,deceased,by deed from J.C.Goodrich and wife duly recorded in the clerks office of the county court of the county of Isle of Wight,in Deed Book 52 p.174.

Your commissioner reports that the said J.L.Warner was put in possession of the said lot by the said John M.Day deceased,in his life time, and has occupied the same for about two years and your commissioner further finds that the said J.L.Warner has made payment of a part of the purchase price of the said lot ,to the amount of one hundred & two (102) dollars,but no deed has ever been made to him.

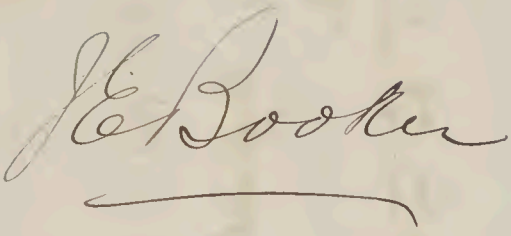
Your commissioner reports that he has searched the records diligently and that he finds no liens for taxes or otherwise on the said lands or any interest therein.

Your commissioner further reports that the said lands cannot be partitioned in kind without serious loss and injury to the parties entitled thereto; and that no party has offered to take the whole and pay the other parties such sums of moneys as their interest therein may entitle them to.

Given under my hand as a commissioner in chancery of the said court the day and year first aforesaid.

Samuel H. Edwards
Comr.

Time employed 24 hrs
Fee $18.00
Sheriff's fee 1.00



No. _____ SUFFOLK, VA. July 6th 1897

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Suffolk Herald

Nine & no/100 Dollars

Publishing notice in Herald & 4 hand bills of the sale of Jno. M. Kay land

$ 9 xx/100

Wm S. Holland, Spe.
Com. Bradshaw vs Kay.

YOUNG & SELDEN, BALTO

All Available Text Successfully Captured

Ro. A. Edwards

Cash.

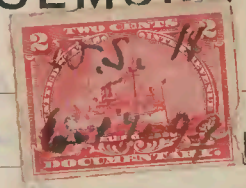
THE BANK OF SMITHFIELD,
A. L. BARNETT, Cashier.

Pay W. H. Jones, Jr. Cash'r,
THE NORFOLK NATIONAL BANK,
NORFOLK, VA.
A. B. SCHWARZKOPF, Asst. Cash'r.

No. _____ SUFFOLK, VA. June 17th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF R. A. Edwards, crier



Twelve and 50/100 Dollars

For selling three tracts of land belonging to Jno. M. Gay's estate

$12 50/100

Wm S. Holland
Sepc. Comr. Bradshaw v Gay

YOUNG & SELDEN, BALTO

All Available Text Successfully Captured

Samuel Id. Edwards Jr
Anna Maude Britt
Warren H. Cuny

Pay C. Hardy,
Cashier, or Order

THE BANK OF SMITHFIELD,
A. A. BARRETT, Cashier

Pay W. H. Jones, Jr. Cash'r.
THE NORFOLK NATIONAL BANK,
NORFOLK, VA.
A. B. SCHWARZKOPF, Asst. Cash'r.

No. _____ SUFFOLK, VA. June 24th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF S. H. Edwards, Comr. Dollars

Eighteen & no/100

Comrs. fee in suit of Bradshaw vs Ray et als.

$18 xx/100

Wm S. Holland, Atty.
Comr. Bradshaw vs. Ray

YOUNG & SELDEN, BALTO.

All Available Text Successfully Captured

January 25 1897

Received of Samuel P. Holland

One Hundred ^{00}/_{100} Dollars,

in one (1) Bond of John M. Gay Dec'd

dated January 1st 1847

$100 00

By Gay

John L. Gay } Admrs

B S Gray } Admrs.
John T Gray }

No. _____ SUFFOLK, VA. Decem 9th 1899

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF D. P. and J. L. Gay Admrs Balance

Five Thousand ——— 00/100 Dollars

Amt collected from sales of John M Gay's land to be distributed by them

$ 5000 00/100 Wm S. Holland

Special Commissioner
Brockenbrough Vs. Gay

YOUNG & SELDEN, BALTO

F. BANK OF NANSEMOND PAID DEC 11 1899 SUFFOLK VA.

All Available Text Successfully Captured

Bradshaw et. als

vs.

Gay et. als.

Report of Sales
filed Oct. 25th 1899

AUCTION SALES

—OF—

SPLENDID FARM LANDS

IN ISLE OF WIGHT COUNTY, VA.

Pursuant to a decree entered April 25, 1899, in the cause of Bradshaw et als. vs. Gay et als., I shall offer for sale at public auction the following property:

1. The farm on which Mr. John M. Gay lived and died, containing 250 acres, about two miles from Windsor and less than one mile from Antioch church, containing 120 acres arable land in good condition; considerable wood on the rest. Has ou it splendid buildings in good repair.

2. A tract of land containing 100 acres, more or less, adjacent to the lauds of John N. Bryant, Elisha W. Ballard and J. G. Johnson. This is a good small farm in an excellent neighborhood, and is very desirable.

3. A tract of land containing 1,052½ acres by a recent survey, known as the "Pocosin tract" and sometimes as "Ross Pocosin." It was conveyed to John M. Gay by Caldwell Hardy, special commissioner, and is the same land on which B. P. Gay is now operating a saw-mill, under a contract between himself and his father, the said late John M. Gay. The timber, as provided in said contract, is reserved, and the purchaser can take possession at once, subject to the rights of said B. P. Gay under said contract. In a few months Mr. B. P. Gay will vacate. Mr. Gay will take pleasure in showing this property.

The possession of the other property can be given at once, subject to the rights of parties having crops on the same, and the purchasers will be entitled to the rents, consisting of a share of said crops. Purchaser can get buildings on Home place at once. The undersigned will take pleasure in showing the property. This property will be sold and conveyed in gross and not by the acre.

PLACES AND DATES OF SALES.

The sale of the first and second tracts will take place **AT WINDSOR, VA.,** in front of the office of Mr. William S. Holland, at 12 o'clock M., sharp, **ON SATURDAY, MAY 20, 1899,** and the sale of the **"Pocosin Tract"** will take place **AT ISLE OF WIGHT COURTHOUSE ON MONDAY, JUNE 5, 1899** (court day).

TERMS OF SALE.---One-fourth cash, and the rest in equal instalments, payable in one and two years from the date of sale, with interest from date of sale. Purchaser to give bond and good security for deferred payments, with privilege to pay all in cash.

WILLIAM S. HOLLAND,

MAY 3, 1899. **SPECIAL COMMISSIONER.**

In the Clerk's Office of the Circuit Court of the County of Isle of Wight—Bradshaw et als., Plaintiffs, vs. Gay et als., Defendants.

I, N. F. Young, Clerk of the said court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 25th day of April, 1899, has been duly given.

Given under my hand as Clerk of said court, this 1st day of May, 1899. N. F. YOUNG, C. C.

Bradshaw et.als.,

vs.

Gay et.als.

The undersigned your commissioner begs leave to report to court that pursuant to a decree herein entered April 24th I899, he has sold the lands mentioned, after advertising as therein directed, and upon the terms therein stated, a copy of the hand bills posted is herewith filed as a part of this report, showing dates and places of sales. At which sale of tract No. I and 2 Benjamin P.Gay became the last and highest bidder for the Home Tract, No. I, at the price and sum of $3885 and John N.Bryant became the last and highest bidder for tract No. 2 containing I00 acres, more or less, at the price and sum of $306.00; and at the sale of tract No.3 known as "Ross Pocoson" said Benjamin P.Gay became the last and highest bidder at the price and sum of $I200. The said John N.Bryant has paid all in cash for the tract bought by him, and Benjamin P.Gay has paid one third of the purchase price of the two tracts bought by him, but has not given any bond for deferred payments, preferring as he says, to pay all in cash as soon as sale is confirmed. Your commissioner says that he has heard no complaint from any quarter as to the sales, and knows the sales to be for good prices, and, recomends a confirmation of the same. Your commissioner has deposited the money received in bank as required by said decree.

Very Respectfully Submitted,
Wm S. Hallund, Special Commissioner.

Articles of agreement made this 4th day of November 1898 by and between John M. Gay party of the first part, and Samuel H. Holland party of the second part, both parties residing in the County of Isle of Wight and State of Virginia — Witnesseth, that for and in consideration of the sum of one hundred and five dollars cash in hand paid. and the further sum of Three hundred and Twenty dollars, evidenced by a Bond dated Nov 4th 1898, and payable to the party of the first part, with interest from Jany 1st 1899, and payable three years after the last named date as to principal and the interest to be paid annually to the party of the first part. The said party of the first part doth grant bargain and sell to the party of the second part, a tract of land situate in the County afore said

---

and on which U. E. White (Col) now lives Containing one hundred and thirty (130) acres more or less, adjacent to the lands of Capt. Benn (Col) Jane Maxwell and others and is the same tract of land the said party of the first part purchased of Wm S. Holland and is known as the Campen Bacon land, Conditionally, that no deed is to be made until the last dollar of the principal and interest due on said Bond of three hundred and twenty dollars dated Nov 4th 1898 is paid, then the party of the first part pledges and binds himself heirs or assigns to give the party of the second part a good and sufficient deed for the tract of land aforesaid. The party of the second part agrees to pay all Taxes that may be assessed upon said land commencing with the 1st Jan 1899.

This 4th day of November 1898.

Witness

Wm McBoyd

John M. Gay.

36
4
144

Received of Mr. Samuel N. Holland, one hundred and five dollars. It being in fat payment for the farm known as the S. E. White farm, adjoining the lands of Jacob Reuter (Col.) James Braselle, and others. The consideration being, Four hundred and Twenty five dollars $425.00 xx

Nov 4th 1892.

John M. Gay.

100 00/100

Recied one hundred dollars $100 00/100 on the within
January 25 1849

B. P. Gay. Admr
John L. Gay

We assign the within to Sallie B Eley with all recourse to us

B. P. Gay admr
B. P. Gay

Feb. 8, 1879

Rec'd $13.65 it being the interest on the within up till Jan. 1st 1905.

Sallie B. Eley.

Rec'd $148.15 of the principal of the within

Sallie B. Eley

Jan 8 1905.

Rec'd $72.00 which is all of the principal of the within

June 8. 1905. Sallie B Eley.

The interest to be paid annually as to principal

$320.00 Three years from the first day of Jany 1899. I promise to pay unto John M. Gay his Heirs, Executors, Administrators or Assigns, the just and full sum of Three hundred and Twenty DOLLARS and ——— CENTS, current money of the United States, for value received, with interest from ~~date~~ Jany 1st 1899; for the payment of which I bind my self my Heirs, Executors and Administrators firmly by these presents; and I hereby waive the benefit of my Homestead Exemption as to this debt, obligation or contract.

As witness my hand and seal this 4th day of November, in the year of our Lord one thousand eight hundred and ninety-Eight

Samuel H. Holland [SEAL.]

WITNESS. W. L. Bond

[SEAL.]

Recd of Mr. S. H. Holland
$1.80 it being the interest
on the principal of the
within from Jan 8, 1908.
till June 8, 1908.

Sallie B. Eley

June 8th 1908.

Rec'd of Mr. W. H. Holland $148.00 it being part of the principal of a note which I hold against him.

Sallie B. Eley.

Jan 8, 1900.

Cyprus 24, 1903

LAW OFFICE
OF
WM. S. HOLLAND.

COURTS---ISLE OF WIGHT, NANSEMOND AND SOUTHAMPTON.

WINDSOR STATION, VA., April 24, 1903.

Hon. Robt. R. Prentis,

Isle of Wight Courthouse, Virginia.

Dear Sir:-

The undersigned administrators of our father, Jno. M. Gay deceased, beg to say, that Mr. Wm. S. Holland, as attorney for some of the heirs brought a suit soon after the death of our father to sell is real estate. Mr. Holland gave us a check for five thousand (5000) dollars which we collected at bank, instead of paying the money to the widow and children of our said father. He did so at our suggestion simply to expedite matters, and we paid the money out to the said parties along with the money we had in hand from the personal estate. We charged no commissions whatever on that money, and therefore, there was no loss to any body, on account of his paying the money is us instead of to the parties direct. In making his settlemant as Special Commissioner before you, we most respectfully ask that he may be allowed to use said check signed by us as a voucher.

Copy

The money due by J. L. Warner for a lot in Smithfield sold to him by our father in his life time was paid over to the wife of Mr. Warner, Mrs. Ballie E. Warner as a part of her share in the estate of her said fother and it did not pass through the hands of Mr. Holland at all.

Very respectfully,

B P Gay
John L Gay

Administrators of Jno. M. Gay deceased.

Lucia A. Bradshaw
and others

vs.

Eugenia B. Hay et. als.

Report of distribution
Filed April 27th
1903 by Leave of Court.

To the honorable Robert R. Prentis, Judge of the Circuit Court of Isle of Wight County.

Lucy A. Bradshaw et als

Vs

Eugenia B. Gay et als

The undersigned, your Special Commissioner, begs to report that pursuant to a decree rendered in this cause on the_____th day of _____, 190_, he has collected the money for the land sold by him as shown by his report filed herein by leave of Court on the 23d day of October, 1899, and has distributed the same. The following is a statement of the collections and disbursements:

By amount of sales as per report	$5391.00	
To paid R. A. Edwards, crier,		$ 12.50
To " Suffolk Herald		$ 9.00
" " S. H. Edwards, Comr.		$ 18.00
" " Admrs. of Jno. M. Gay		$ 5000.00
" " retained for fee allowed		$ 200.00
" " Commissions on $5391.00		$ 116.82
" " Retained for other costs		$ 34.68
	$5391.00	$ 5391.00

Your commissioner herewith files his vouchers among which there is a voucher for five thousand (5000) dollars paid to the administrators of Jno. M. Gay deceased to be by them paid to the widow and children of Jno. M. Gay deceased. This arrangement was made to expedite matters and the said administrators agreed to charge no commissions for distributing the money received from your Special Commissioner. The undersigned has seen receipts from the parties which include this item of five thousand (5000) dollars, and he therefore knows that it was paid to the parties almost immediately after it was received by the said administrators.

Respectfully submitted,

Wm. S. Holland Spl. Com.

John M Hays heirs &c

To

Jno L & B. P. Hay

Oct 1907

Apr 1905

_____(Seal)

_____(Seal)

_____(Seal)

_____(Seal)

State of Virginia,

City of Norfolk, to-wit:

I, M C Terebee, a Notary Public in and for the City of Norfolk and in the State of Virginia, do certify that John L Gay, B C Gay Lucy A Bradshaw Sallie E Warner, Jonas A Gay, K Floyd Gay Sallie B Ely, Annie Maud Redmond W J Holland Guardian and Eugenia B Gay whose names are signed to the writing above having date the 29th day of April 1905 have acknowledged the same before in the City of Norfolk aforesaid

Given under my hand this the 29th day of April 1905

M C Terebee
Notary Public

My commission expires October 14th 1907

WHEREAS the estate, both real and personal, of John M. Gay, deceased, has been fully settled by John L. Gay and B. P. Gay, administrators of said John M. Gay, deceased, they having collected from the Special Commissioner the proceeds of the sale of the real estate and having paid the same out along with the funds arising from the personal estate without charging any commissions on the money thus received from the Special Commissioner of the Court arising from the sale of the land, and the children and heirs at law of the said John M. Gay, deceased, all being over the age of twenty-one years, except as hereinafter mentioned, and fully understanding the said settlement in details and being desirous to collect the balance now in hand without incurring the expense of a settlement under the forms and regulations prescribed by law, wish, by signing this paper, to exhonorate said administrators and release them from the bond given by them in court and release them from all obligations in law and in equity by signing and sealing this paper which they understand is to be admitted to record in the Clerk's Office of the Circuit Court of the County of Isle of Wight and to be a complete bar to the institution of any action at law or any suit in equity against any party hereto by reason of the settlement of the said estate or by reason of any fact or transaction growing out of any settlement of the estate. The widow of the said John M. Gay, deceased, joins in this settlement as fully and completely as any of the heirs at law. James S. Gay, a son of the said John M. Gay, deceased, left two children, namely: Leland I. Gay and James Alton Gay for whom their mother became guardian and collected all the money except the sum of one hundred & twenty four & 15/100 paid this day to Wm. S. Holland, who was recently appointed guardian of said grandchildren at the request of one of the said wards and the relatives of said wards, and who receives said last mentioned sum as such guardian and signs this paper for the purpose of releasing said administrators so far as he can legally and properly do so.

NOW, THEREFORE, THIS DEED, Made this 29th day of April 1905, be-

tween John L. Gay, B. P. Gay, Lucy A. Bradshaw who was Gay, Ballie E. Warner who was Gay, Zenas A. Gay, Kenneth Floyd Gay, Sallie B. Eley who was Gay, Annie Maud Richmond who was Gay, Wm. S. Holland, guardian for Leland I. Gay and James Alton Gay orphans of James S. Gay, deceased, and grandchildren of said John M. Gay, deceased, and Eugenia B. Gay, widow of John M. Gay, deceased,, parties of the first part; and John L. Gay and B. P. Gay, administrators of John M. Gay, deceased, parties of the second part, WITNESSETH: that in consideration of the premises and in consideration of the further sum of six teen hundred & fifty one & 50/100 dollars this day paid to the said parties in the proportion due them respectively as and for the balance due them in full as hereinbefore mentioned, the said parties of the first part, as aforesaid, do respectively acknowledge the receipt in full of all money arising from the real and personal estate of John M. Gay, deceased, and do hereby, as aforesid, ratify and confirm the settlement of said estate fully and do hereby release the said administrators from any and all obligations by reason of any bond or bonds made and executed by them as such administrators in any of the Courts of Isle of Wight County, subject to the provisions hereinbefore set out, they do respectively agree that no suit shall be brought against any party hereto on account of anything growing out of the settlement of the said estate.

Witness the following signatures and seals:

John L. Gay (Seal)

B P Gay (Seal)

Lucy A Bradshaw (Seal)

Ballie E. Warner (Seal)

Zenas A Gay (Seal)

K. Floyd Gay (Seal)

Sallie B. Eley (Seal)

Annie Maude Richmond (Seal)

W. S. Holland Guardian (Seal)

Eugenia B. Gay (Seal)

(Seal)

Bradshaw et. als.

vs

Gay et. als.

Decree

March 9th 1899.

Clerk circuit Court of
Isle of Wight County
will enter this decree

Enter March 9, 1899.

Robt R. Martin

Received & Endorsed Record
March 10th 1899

Bradshaw et. als.

vs.

Gay et. als.

D E C R E E

Enter this, April 24th 1899.

Robert D. Dewitt

In the Circuit Court of Isle of Wight County in vacation this 9th day of March 1899.

Lucy A.Bradshaw and James M.Bradshaw her husband; J.L.Gay; Benjamin P.Gay; Sallie B.Eley and Geo.W.Eley her husband; Ballie E.Warner and J.L.Warner her husband.

vs.

Eugenia B.Gay widow of John M.Gay deceased; John L.Gay and Benjamin P.Gay trustees; Annie Maud Gay; Keneth Floyd Gay; Zenas A.Gay; Leland I.Gay; and James Alton Gay; the last five named being infants under the age of 21 years.

This cause came on this day to be heard on the bill of complaint taken for confessed as to the adult defendants, on whom process has been duly serverd, they still failing to appear, plead, answer or demur, on the answer of the infants defendants by their guardian ad litem with general replication thereto, and on reasonable notice to the defendants of the purpose of the plaintiffs to apply for this decree, and was argued by counsel:

On consideration whereof the court doth adjudge, order and decree that one of the commissioners of this court take, state and report to this court as soon as practicable the following inquiries and accounts:

First. the annual and fee simple value of each parcel of land in this bill and proceedings mentioned.

Second. Whether said lands can be partitioned in kind among the parties entitled thereto?

Third. What part or parts of said land did JohnM.Gay, in his life time, contract to sell, and to whom?

Fourth. Is there any lien for taxes or otherwise on said lands or any interest therein? If so state an account of such liens with their priorities.

Fifth State any matter deemed pertinent by said commissioner or which any part in interest may require to be so stated.

Robert C. Phillips

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

Bradshaw et. als.,

vs.

Gay et. als.

This cause came on this day to be again heard on the papers formerly read, and on the report of commissioner Samuel H.Edwards filed herein on the 13th day of April 1899, to which no exception has been filed, and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree, that said report of commissioner Edwards be, and the same is, hereby confirmed.

And the court doth further adjudge, order and decree that Wm.S.Holland who is hereby appointed a special commissioner for that purpose proceed to sell the land in the bill and proceedings mentioned, the lot in Smithfield already sold to J.L.Warner by John M.Gay in his life time, and forty acres, more or less, likewise sold to George E.Newby, by public auction to the highest bidder, for cash one forth and the rest in two equal instalments, with interest from date of sale, payable in one and two years respectively from date of sale with the right to pay all in cash if the purchaser so elects. The said special commissioner is authorized to sell after fifteen days notice by posted hand bills, and by publication in two issues of the Suffolk Herald a news-paper published in Suffolk Virginia, and is authorized to sell all the lands at Windsor in the county of Isle of Wight, or may sell part at Windsor, and the other part at Isle of Wight Court House on some county court day, but the said special commissioner before proceeding to do anything under this decree shall enter into bond in the penalty of $8000. before the the clerk of this court, with surety by the said clerk deemed sufficient, payable to the Commonwealth of Virginia, and conditioned that the said special commissioner shall faithfully perform all his duties under this, and all subsequent decrees entered in this cause.

And the court doth further adjudge, order and decree, that said special commissioner shall collect from J.L.Warner and George E. Newby and Stephen H.Newby the balance of the purchase price for the lands respectively purchased by them as shown by the said report of the said commissioner Samuel H.Edwards, and when all the purchase price is paid then said Wm.S.Holland who is hereby appointed a special commissioner for that purpose, make, execute and deliver to him or them good and sufficient deeds with special warranty, for the lands so sold to him or them by the said John M.Gay,

in his life time. And that the said Wm.S.Holland deposite any and all money by him collected under this decree in the Farmer's Bank of Nansemond, Suffolk Virginia, to his credit as such special commissioner, and file deposite slips with the papers in this cause along with his report. And the said special commissioner shall make report to court of his doings hereunder.

Bradshaw et. als.

vs.

Gay et. als.

D E C R E E.

To be entered October 23rd.1899.

Robert K. Reutis

Bradshaw et. als.

vs.

Gay et. als.

This cause came on this day to be again heard on the papers formerly read, on the report of sales made by Wm. S. Holland, special commissioner, this day filed by leave of court, and was argued by counsel:

On consideration whereof the court doth adjudge, order and decree, that said sales to John N. Bryant and Benjamin P. Gay, be and the same are hereby ratified and confirmed, and that Wm. S. Holland who is hereby appointed a special commissioner for that purpose make, execute and deliver to said John N. Bryant a good and sufficient deed with special warranty for the tract of land bought by him, and that if said Benjamin P. Gay shall pay the rest of the purchase price of the two tracts purchased by him, then said last named special commissioner shall likewise make a similar conveyance to the said Benjamin P. Gay for the tracts purchased by him.

And the court doth further adjudge, order and decree, that as soon as said balance is paid for said lands, the said Wm. S. Holland shall pay the costs of this suit and sale including a fee of $200 to Wm. S. Holland, counsel in this case, and shall pay the rest equally to heirs at law and widow of the said John M. Gay, deceased. And the said special commissioner shall make report to the court.

Lucy A. Bradshaw et. als.

vs

Eugenia B.Gay, widow of Jno

M. Gay deceased et. als.

D E C R E E

To be entered Oct 28th.

190I.

Robert R. Mills

Order Book No. 6, page 247.

Lucy A. Bradshaw et. als.

vs

Eugenia B.Gay, widow of Jno. M.Gay, deceased, et.als.

This cause came on this day to be again heard on the papers formerly read, and on the petition of the plaintiffs filed this day by leave of court, and was argued by counsel:

On consideration wherof, the court adjudge, order and decree that Wm.S.Holland who is hereby appointed a special commmissioner for that purpose, do make, execute and deliver to Samuel H.Holland a good and sufficient deed with special warranty for the tract of land mentioned and described in the petition and papers therein refered to this day filed by leave of court, it appearing to the court by proper voubhers that Samuel H.Holland has paid all the purchase price for the tract of land which Jno. M.Gay in his lifetime contracted to sell him .

The said special commissioner is hereby authorized to allow the said Eugenia B. Gay, widow of the said Jno. M.Gay deceased, to unite with him in this deed, and he is also authorized and ordered to withhold the said deed till all taxes have been paid on the land in the said deed included.

Lucy A. Bradshaw et als

Vs

Eugenia B. Gay et als.

0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:0:

D E C R E E .

April 27, 1903.

To be entered.

C.O.B. 6 p. 297.

Lucy A. Bradshaw et als

Vs

Eugenia B. Gay et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of Wm. S. Holland Special Commissioner, this day filed by leave of Court, to which there is no exception, and was argued by counsel;

On consideration whereof, the Court doth adjudge, order and decree, that the said report of Special Commissioner Wm. S. Holland, be, and the same is,hereby approved, ratified and confirmed, it appearing to the Court that the same is supported by the proper vouchers, and shows that the said Special Commissioner has paid out all the fund in his hands except the sum of $34.68 retained to pay unpaid cost.

On the petition and on the motion of Jno. L. Gay and Benj. P. Gay, administrators of Jno. M. Gay deceased, the Court doth adjudge, order and decree, that they be, and they are, hereby made parties plaintiffs to this cause.

The Court doth further adjudge, order and decree that one of the Commissioners of this Court take, state and report an account of the debts outstanding and unpaid against the estate of the said Jno. M. Gay deceased; an account of the doings and transactions of Jno. L. and B. P. Gay, Administrators of Jno. M. Gay deceased; Any matter deemed pertinent by the Commissioner making this account, or which may be required to be so taken, stated and reported to Court, by any party in interest.

Lucy A. Bradshaw et als
vs
Eugenia B.Gay,widow of John M.Gay,deceased,et als

D E C R E E .

To be entered.

June 5, 1905

Robert Prentis

C. O. B. #6 Page #29.

Ent

Lucy A. Bradshaw et als
vs
Eugenia B Gay, widow of
John M.Gay,Deceased,et als

This cause came on this day to be again heard on the papers formerly read, on a deed by and between the widow, heirs at law and distributees of John M. Gay, deceased, of the one part and John L. Gay and B. P. Gay, administrators of John M. Gay, deceased, of the other part, showing a full settlement of the estate, real and personal of the said John M. Gay, deceased and was argued by counsel. filed this day by leave of Court

On consideration whereof, the court, treating said deed as a report by the administrators of John M. Gay, deceased and as a receipt to Wm. S. Holland, Special Commissioner, doth adjudge. order, and decree that the said settlement of the said estate is hereby approved, ratified, and confirmed.

It appearing to the court that there is the sum of $336.67 to the credit of John M. Gay, Special Commissioner in the Farmers Bank of Nansemond which sum of money was paid out by him in his lifetime without drawing the same from the said bank,and now belongs to the said estate, and has been taken into consideration in the settlement aforesaid of the said estate, the court doth adjudge, order, and decree that the said administrators are hereby authorized and empowered to collect said money from the said bank and to sign a check in the name of John M. Gay, Special Commissioner by John L. and B. P. Gay, administrators of John M. Gay, deceased.

And the court doth further adjudge, order, and decree that out of the sum of $34.68 shown to be in the hands of Wm. S. Holland, Special Commissioner by his report filed herein on the 27th day of April 1903, or such part thereof as still remains in hand, he pay the unpaid cost of this suit and in case the said sum in hand is not sufficient to pay the unpaid cost then the administrators of the estate of John M. Gay, deceased, shall pay the same.

The said administrators or their attorney is hereby authorized to take from the papers the said deed of settlement and have the same recorded in the Clerk's Office of the Circuit Court of Isle of Wight County.

And nothing further appearing to be done in this cause, it is ordered that the same be dismissed from the docket.

Duck & Butler
Trustees.
To
Jno. M. Gay

2nd Deed.

June 22nd 1892.
Admitted to record

Exhibit No 12

Recd in Deed Book
67 page 107

Tax — 1.00
Fee — 1.25
Chg. by
Supt. 1.25
Clk.

State of Virginia
County of Isle of Wight } To Wit

I John M Taylor a Justice of the Peace in and for the said County in the State of Virginia do Certify that John G Dues and B F Butler Trustee whose name are signed to the writing above bearing date 7 Day of May 1892 has acknowledge the same befor me in the County aforesaid

Given under my hand this 9 Day of May 1892

John M Taylor J P

In the clerk's office of the county court of Isle of Wight county, the 22nd day of June 1892, this deed was received and with the certificate thereon admitted to record.

Teste, N. B. Young clk

given by parties, the said
tract, piece or parcel of land
aforesaid mentioned, was sold
to the highest bidder and
John H Gay became the
purchaser at the sum of
three Hundred and fifty Dollars
cash in hand paid by
the said Gay, to the aforesaid
within named Trustee, the
receipt of which is hereby
acknowledged before the
sealing and delivery of
this Paper, And it is
covenanted and agreed by
the Parties of the first part
to Warrant and defend
all the right title and
interest they may have unto
John H Gay. The said of the
second part. Especially
Witness our Signatures
and Seals, this 7th day of
May 1897

John G. Quest (Seal)
B. A. Butler (Seal)

This Deed. Made. the 7th day of
May 1892 Between. Benja Butler
and. John. G. Brent. Trustees.
of. the. first. part. and. Solomon
Gay. the party of. the second.
part. all. Martins Citizens
of. the County of. Isle of. Wight
and State of Virginia

Witnesseth
Whereas the parties of the
first part. Trustees, by certain
Deeds. duly. recorded in the
Clks office of. the County of
Isle of Wight. Deed. Book No
53. 54. and 56 by sundry certain
sums. therein named, and. by
the request. of the Beneficiary
in pursuance of. said
Deeds. the. said first. piece
or. parcel of. land lying
and being in the County of
Isle of Wight. State aforesaid
which is Williams & Mumford Line & Deep
1 said to contain 100 acres
more or less. adjacent to
the Lands of Jno. T. Bryant
J. G. Johnson James S. Gay
and Adams Broadhurst.
Estate, after 30 days. Notice

In the Clerk's Office of the County Court of Isle of Wight County the 26th day of January 1893 this deed was received and with certificate thereon, admitted to record.

Teste

N.O. Young clk.

A copy

Teste N.O. Young c.c.

Caldwell Study S.C.
To
John M. Clay

Deed

Exhibit No 10 -

Plaint. Court -
Deed of Bargain
& Sale.

This Deed Made this 5th day of January in the year Eighteen Hundred and ninety-three, between Caldwell Hardy Special Commissioner as hereinafter stated, party of the first part, and John M. Gay party of the second part.

Whereas, the said Caldwell Hardy Special Commissioner did, on the 25th day of April 1891 sell to John M. Gay of the County of Isle of Wight, the Process Tract of land in said County, at the price and sum of $10,000.00, on the terms of one third Cash and the balance upon a credit of one, two and three years, and did on the 25th day of July 1891 report the said sale to the court by his report filed in the Cause, on the 3rd day of August 1891.

And Whereas, the said Court, by a Decree pronounced in the said Cause, on the 3rd day of August 1891 confirmed the sale aforesaid to the said John M. Gay the same having been duly reported by the said Special Commissioner as aforesaid and directed a proper deed with special warranty to be made and

delivered by said Caldwell Hardy Special Commissioner to the said John M. Gay upon his paying the whole of the purchase money of said land conveying to him the property so purchased by him.

And Whereas the whole of the said purchase money and interest has now been paid.

Now Therefore this Deed witnesseth: that the said Caldwell Hardy Special Commissioner as aforesaid in consideration of the premises and of the sum of ten thousand dollars to him in hand paid, as aforesaid and by virtue of authority vested in him by the decree aforesaid doth hereby grant and convey with Special Warranty unto the said John M. Gay and to his heirs forever the following property to wit: That certain tract of land known as the "Porosin Tract" in the County of Isle of Wight about five miles from the town of Smithfield, containing one thousand and ninety and one half acres (1090½ acres) more or less,

and being the same property conveyed by E. B. Hayden to Wm. J. Hardy and Thomas R. Hardy under a decree pronounced by the Circuit Court of said County, in the suit of Boykin's Admr. vs. Page & others, by his deed bearing date the 14th day of May 1873 and duly recorded.

Witness the following signature and seal, the day and year first above written.

Caldwell Hardy (Seal)
Special Commissioner

Corporation of the City of Norfolk
to wit:

I W. R. G a Notary Public, for the Corporation aforesaid in the State of Virginia do certify that Caldwell Hardy Special Commissioner, whose name is signed to the writing above, bearing date on the 5th day of January 1893, has acknowledged the same before me in my Corporation aforesaid

W. R. G
Notary Public.

To Eugenia B.Gay widow of John M.Gay deceased, John L.Gay and B.P.Gay trustees; and E.E.Holland guardian ad litem for Annie Maud, K. Floyd, Zenas A., Leland I., and James A. Gay.

Please take notic that we shall on the 9th day of March 1899, at his office in the town of Suffolk,Va., apply to the Hon. Robert R.Prentis Judge of the Circuit Court of Isle of Wight county, Virginia, for a decree for enquiries and accounts in the suit in which you are defendants and we are plaintiffs, now pending in the said Circuit Court.

Lucy A.Bradshaw, John L.Gay and others by
Wm S. Holland, their attorney.

Each of the undesigned hereby accepts due, legal and sufficient service of the above written notice.

E B G
J L G
B P G
E E H ad l

Eugenia B Gay
John L Gay
B P Gay
E E Holland
Guardian ad litem

Brooklyn N.Y.
Sept 19 1869

Mr Holland

Dear Sir I write to know if I can secure your services to settle a controversy between my Brother Mr L. A. Marsh & myself Concerning some property deeded me by Mr Fallin also some household goods he gave me. I do not know whether he has to defendant him, but if you can find out anything pertaining to him, I should like very much to secure you as my Counsel please let me hear from you at once stating in letter what Rate Mrs E S Hebert

If not delivered in 5 days, return to

J. B. HANCOCK,

DEALER IN

Plain and Fancy Groceries,

WAVERLY, VA.

Mrs Wm. S. Hallam

Winston N.C.

NORFOLK, VA.
APR 25
12 - M
1904
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C

Wrandy Va
4/25/1904

Dear Sir

in close Find
Land Warrant Rabbits Kills
Mrs Jones To The Trouble is
She When my Father Died
Leaving Home she came
To Live With me and
Andy Brought a Part of
His Property To My House
and left a Part at Mrs Rabbits
the Said he would not Give
Them To any one as
he might Need Them again
and When he Died Not Having
any Will and Leaving Some
Property and I the only Son
She Claims Part of me To
Settle it and Because

The administration of the
estate according to Law
and Want to settle according
to Law
and the rights to the
Property at her House living
Buried Say he Gone out
to West
I Came From Jefferson
by the Two men that
Handed the Scrip
I will let you know what
I am I Want you to come

R T Hall