

1425-003 Chancery Causes: Mattie S. Johnson, gen vs Myrtie C. Johnson & Wilson R. Johnson,
Isle of Wight County by v c val
Petition of Mattie S. Johnson, widow of Rudolph S. Johnson

Folder 1
379

other surnames: Bradshaw
Wright, Holland, Rose, Griffin
Eley, Boyce, Underwood,
Nelms, Lankford

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

v) Chancery. No. 379.

Johnson's infants et als.

To Honorable B. D. White,

Judge of the Circuit Court of the County of Isle of Wight,
State of Virginia.

The undersigned, special commissioner in this cause, respectfully reports that he has, in obedience to the decree entered herein on the 7th. day of May, 1923, that he has collected the interest on the bond of Mattie S. Johnson, of \$858.33 to June 30th. 1923, and the interest on the sum of \$465.08, in the Farmers Bank of Nansemond, interest on the former amount at the rate of six per centum per annum, and on the latter amount at the rate of four per centum per annum, the said interest being, in the first case, \$25.75 and in the latter \$9.30. That the two items of interest aggregates \$32.05. That he has taken from the principal in Farmers Bank of Nansemond the sum of \$147.95 to make a total of \$180.00, together with said items of interest, and which he has paid to Mattie S. Johnson, to be used by her in the support, maintenance and education of the infant children, Myrtie C. Johnson and Wilson R. Johnson. There was, left in said Farmers Bank of Nansemond, on the 30th. day of June, 1923, the sum of \$317.13, which is drawing interest from June 30th. 1923, at the rate of four per centum per annum.

The bond of said Mattie S. Johnson for the sum of \$858.33 is untouched, the same being secured by a deed of trust upon her lot in the town of Windsor, as heretofore fully set forth.

The condition of the ^{state} ~~safe~~ ^{of} Mattie S. Johnson's finances is still unchanged, and in order to properly clothe her said children, a continuance of the allowance is necessary. In fact, it is only by the exercise of unusual industry and good management that she is able to get along at all. The children are getting older, Myrtie C. Johnson being now fourteen years of age, and Wilson R. Johnson being now ten years of age. Their clothes cost more and their help is but little more, both of them being in attendance upon school all the time when it is in session.

Your commissioner therefore recommends, that he be directed to collect the interest on the bond of the said Mattie S. Johnson and the interest on the amount in Farmers Bank of Nansemond, from June 30th. 1923 to June 30th. 1924, and add to it enough of the principal of the sum in said Farmers Bank of Nansemond to make up the total sum of \$360.00, and pay the said sum to said Mattie S. Johnson, to cover from June 30th. 1923 to, June 30th. 1924, at the rate of fifteen dollars per month each, the same amount as has been heretofore allowed to her for such purpose. Said Mattie S. Johnson, in order to properly take care of her said children, has been compelled to solicit help from her folks, to whom she now owes money.

The receipt of the said Mattie S. Johnson, for the last payment made to her, as directed by decree entered herein on the 7th. day of May, 1923.

Respectfully submitted,

Mattie S. Johnson

\$180.00

June 30th. 1923.

Received of Milton Johnson, Special Commissioner in the suit of Johnson's Guardian v. Johnson's Infants et als., pending in the Circuit Court of the County of Isle of Wight, Virginia, the sum of two hundred and ten dollars, to cover maintenance of infant defendants, Myrtie C. Johnson and Wilson R. Johnson from January 1st. 1923 to June 30th. 1923, directed to be paid by decree entered in said suit on the 7th. day of May, 1923.

Sign Mrs. Mattie Johnson
Special Commissioner.

Virginia: Circuit Court
of Isle of Wight County.

Johnson's guardian

v) Chancery. No. 379

Johnson's Infants et als.

Report of special commiss-
ioner.

Filed July 7th 1924.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

JOHNSON' GUARDIAN

v) Chancery. No. 379. Report of Special Commissioner.

JOHNSON'S INFANTS ET ALS.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

The undersigned, special commissioner, respectfully reports that in obedience to the decree entered herein on the 5th. day of July, 1922, he has collected from Mattie S. Johnson, on account of interest on her bond, for the sum of \$858.33, bearing date June 1st. 1922, from the date of said bond to January 1st. 1923, the sum of \$30.03: That the amount of money deposited by him in Farmers Bank of Nansemond, upon interest, as directed by the decree entered herein on the 5th. day of July, 1922, being the balance in his hands after making the loan of \$858.33 to said Mattie S. Johnson, as directed, was \$632.40, and which said sum was deposited before said order, it being anticipated, on the 1st. day of July, 1922; and that he has collected the interest thereon from said 1st. day of July, 1922 to the 1st. day of January, 1923, amounting to \$12.65, the rate being four per cent. That he has paid both amounts of interest to said Mattie S. Johnson, as a part of the fund of thirty dollars a month, directed to be paid to her for the education, maintenance and support of the infant defendants herein; and that he has taken from the principal, the sum of \$167.32, to make up the full amount of thirty dollars a month from the 1st. day of June, 1922 to the 1st. day of January, 1923, and paid the same over to the said Mattie S. Johnson, and has taken her receipt therefor, which is filed herewith. That he has now, in his hands, as a balance over and above the amount evidenced by the bond of the said Mattie

S. Johnson, the sum of \$465.08, which is in the said Farmers Bank of Nansemond, bearing interest at the rate of four per centum per annum.

Statement of account.

To bond of Mattie S. Johnson,	\$858.33	
To balance on hand July 1st.1922	632.40	
To interest on bond collected	30.03	
To interest on balance collected,	12.65	
By paid Mattie S. Johnson		\$ 210.00
By bond still held,		858.33
By balance in Bank,		465.08
	<u>\$1533.41</u>	<u>\$1533.41</u>

The financial condition of Mattie S. Johnson is unchanged since the last report filed herein, and it seems imperative that she have something to supplement her own earnings to help in the education, maintenance and support of the infant children. They are at school and have been since the beginning of the present school term, and your commissioner recommends that he be directed to pay to said Mattie S. Johnson, at the end of the month of June, 1923, the sum of \$180.00, the same as directed to be paid to her in the decree of July 5th. 1923, per month, applying, as a part of this sum, the accrued interest upon the bond of the said Mattie S. Johnson, and the interest on the fund in Farmers Bank of Nansemond, taking from the principal, in said bank, a sum sufficient to make up the difference between the interest then accrued and the sum of \$180.00.

Your commissioner further reports that his bond is in the penalty of \$2500. That the total amount for which he is now responsible, including the amount of the bond of said Mattie S. Johnson, is \$1323.41. In view of this, and in order to save every cent possible for the said infants, he recommends that the court make such reduction in the penalty of the bond as seems proper in this case.

Respectfully submitted,

William Johnson
Special Commissioner.

\$210.00

January 1st. 1923.

Received of Milton Johnson, Special Commissioner in the suit of Johnson's guardian v. Johnson's infants, et als., pending in the Circuit Court of the County of Isle of Wight, Virginia, the sum of two hundred and ten dollars, to cover maintenance of infant defendants, Myrtie C. Johnson and Wilson R. Johnson, from June 1st. 1922 to January 1st. 1923., and as directed to be paid by decree entered in said suit the 5th. day of July, 1923.

Mattie S. Johnson.

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Circuit Court of Isle of
Wight County, Virginia.

Johnson's guardian
v) Chancery. No. 379.
Johnson et als.

Report of special commiss-
ioner.

Filed May 7, 1923.

W.B.W.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

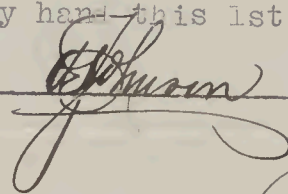
The Linden Printing Company, Hartford, Connecticut, U.S.A.

\$441.67

Received from Milton Johnson,

Special Commissioner in the suit of Johnson's guardian vs. Johnson's infants et als., pending in the Circuit Court of the County of Isle of Wight, Virginia, the sum of four hundred and forty one dollars and sixty seven cents, it being the cash value of my dower interest in the subject matter of said suit, which has been directed to be paid to me in cash, and as I have requested.

Given under my hand this 1st. day of June, 1922.

A handwritten signature in cursive script, appearing to read "Mattie D. Johnson", written over a horizontal line.

Mattie, D. Johnson.

A. S. JOHNSON
ATTORNEY-AT-LAW
ISLE OF WIGHT, VA.

June 1st. 1922.

Mr. Milton Johnson,

Special Commissioner in the suit of
Johnson's guardian vs. Johnson's In-
fants et als.

Dear Sir:

Upon an examination of the title to the lot of land, in
the town of Windsor, County of Isle of Wight and State of Virginia,
recently conveyed to Mattie S. Johnson by M. R. Holland and wife,
and known as the "Wm. H. Gay" lot, I have found to same to be
clear and sufficient to secure a loan of \$858.33.

Yours very truly,

— *A. S. Johnson*

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's Guardian

vs) Chancery. No. 379.

Johnson's Infants et als.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT.

The undersigned, special commissioner in this cause, respectfully reports that in obedience to the decretal order entered herein on the 18th. day of April, 1922, he has, after having been advised that the title was good by A. S. Johnson, an attorney practising in this court, such advice being in writing, and is attached hereto, loaned to Mattie S. Johnson the sum of \$858.33, and has taken from her a bond covering said amount, payable on demand, which is in words and figures following, to-wit:

"\$858.33. On demand I promise to pay to Milton Johnson, Special Commissioner in the Chancery cause, in the Circuit Court of the County of Isle of Wight now pending, in which Mattie S. Johnson, guardian etc. is the complainant, and the infants of Rudolph L. Johnson, deceased, and others, are defendants, styled, generally, Johnson's guardian vs. Johnson's Infants et als. and numbered, on the docket of said court, as 379, the just and full sum of \$858.33, in current money of the United States of America, for value received, with interest thereon from date till paid, at the rate of six per centum per annum, for which I hereby bind myself, my heirs, personal representatives and assigns, jointly and severally, firmly by these presents. And I hereby waive the benefit of my Homestead Exemption as to this debt, obligation or contract.

In testimony whereof I have hereunto set my hand and affixed my seal this 1st. day of June, 1922.

Mattie S. Johnson, (SEAL)
which bond has been secured by a deed of trust on the lot of land, in the town of Windsor, in this County, conveyed to the said Mattie S. Johnson by M. R. Holland and wife, the said lot being the same which was mentioned in the said decree of April 18th. 1922, which said deed of trust is the first lien thereon and which provides that the buildings on the said property shall be insured for the full sum of \$1000.00, for the further protection of the said special

commissioner, and as is required in said decree, *and which has been taken out*

That your commissioner has paid to the said Mattie S. Johnson the sum of \$441.67, it being the cash value of her dower interest in the subject matter of this suit, and has taken her receipt therefor, the same being attached hereto, and made a part of this report.

There is, after payment to the said Mattie S. Johnson her dower interest as aforesaid, amounting to \$441.67, and making to her the loan aforesaid, left in the hands of your commissioner, in cash, the sum of \$532.40, which belongs, equally, to the infants mentioned in this suit. This amount your commissioner has placed to his credit, upon an interest bearing account, in the Farmers Bank of Nansemond, in Suffolk, Virginia, where it now is. This is the best investment of the money in hand now in sight.

Respectfully submitted,

William Johnson
Special Comm

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Report of Special Com'r.

Johnson's Guardian
vs) Chancery. No. 379
Johnson's infants et als.

Filed July 5, 1922.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

JOHNSON'S GUARDIAN

VS) CHANCERY. No. _____

JOHNSON'S INFANTS ET ALS.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT:

The undersigned, special commissioner, appointed by decree entered herein on the 28th. day of March, 1922, respectfully reports that he, on the said 28th. day of March, 1922, executed the bond, required of him as such special commissioner, in the penalty of twenty five hundred dollars; that he has executed and delivered to N. J. Boyce a deed for the land in the bill and proceedings mentioned, and has collected of the said N. J. Boyce the sum of twenty one hundred dollars, and out of which he has paid costs of this suit as follows:

Writ tax on suit,	\$ 1.50
Court costs,	22.60
Commissioner in Chancery,	15.00
For draft of deed to purchaser	10.00
War Tax on deed to purchaser,	2.50
Special Commissioner, commissions on sale of land,	31.00
Counsel fee, allowed by court,	75.00
Premium on special commissioner bond,	10.00,

aggregating \$167.60, and that amount deducted from \$2100.00, the purchase price of the property mentioned, leaves a balance of \$1932.40 to be distributed between and among the heirs at law of said Rudolph L. Johnson, after taking therefrom the commuted dower interest of the widow, Mattie S. Johnson.

Your commissioner further reports that Mattie S. Johnson, widow of Rudolph Johnson, as aforesaid, has purchased of M. R. Holland, a lot, in the town of Windsor, in the said County of Isle of Wight, for the sum of thirteen hundred dollars, and upon which she wishes to borrow the sum of \$858.33, of the funds in his hands as special commissioner, and which loan he recommends, as he believes the value of the said property is sufficient to bear such a loan, the same to be used and occupied by her as a home for herself and her children.

Respectfully submitted,

Melvin Johnson
Special Commissioner.

Received of Milton Johnson, Special Commissioner in the suit of Johnson's guardian vs. Johnson's infants et als, the several sums hereunder, opposite out respective names, which cover the costs enumerated in the foregoing report:

\$24.10,	Court costs,	<u>R. A. Edwards</u> Clerk.
\$15.00	Commissioner's fee	<u>R. A. Edwards</u> Comr.
\$10.00	Drawing deed,	<u>A. Johnson</u>
\$2.50	War tax stamps	<u>Milton Johnson</u> S.C.
\$31.00	Spl. Comr. commissions	<u>Milton Johnson</u> S.C.
\$75.00	Counsel fee,	<u>A. Johnson</u>
\$10.00	Prem. on bond,	<u>Woodward Clem</u>

I, C. F. Joyner, resident of the town of Windsor, County of Isle of Wight and State of Virginia, do hereby certify that I am well acquainted with the property, in said town of Windsor, now occupied by Mrs. Mattie S. Johnson, and which she has bargained to purchase from M.R. Holland, and I estimate the present value thereof to be \$ 14000 .

C. F. Joyner

I, J. W. Babb, resident of the town of Windsor, County of Isle of Wight, State of Virginia, do hereby certify that I am well acquainted with the property, in said town of Windsor, now occupied by Mrs. Mattie S. Johnson, and which she has bargained to purchase from M..R. Holland, and I estimate the present value thereof to be \$ 14000 .

J. W. Babb

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Johnson's guardian

vs) Chancery. No. 379

Johnson's Infants et als.

Report of Special Commissioner.

Filed April 18th, 1922.

A.S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C.H., VA.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. _____

Johnson's infants et als.

The undersigned, one of the Commissioner's in Chancery of the Circuit Court of the County of Isle of Wight, State of Virginia, to whom has been referred the papers in the above entitled cause for the execution of the decree entered therein on the ~~6th~~^{6th} day of ~~March~~^{March}, 1922, respectfully reports to the Court that, on the ~~7th~~^{7th} day of ~~March~~^{March}, 1922, at his office, at Isle of Wight Courthouse, Virginia, in the presence of A. S. Johnson, counsel for the complainant, as well as all the adult defendants, and G. A. Harris, Guardian ad litem of the infant defendants, he took the evidence of S. W. Nelms, J. S. M. Underwood, W. J. Lankford and Mattie S. Johnson, and from the evidence so taken, which was reduced to writing and is returned herewith as a part of this report, and from the records filed in the Clerk's Office of this Court, he is informed and reports:

1. That the infant defendants, Myrtie C. Johnson and Wilson R. Johnson have no personal estate, but are the fee simple owners of a tract of land in the County of Isle of Wight State of Virginia, on the road leading from Suffolk to Windsor, and adjoining the lands of J. S. M. Underwood and others, containing one hundred acres, more or less, of which their father, Rudolph L. Johnson, died seized and possessed, and which descended and passed to them by inheritance, the said Rudolph L. Johnson having died intestate, their respective shares in said land being equal and subject to the dower of their mother, Mattie S. Johnson, widow of said Rudolph L. Johnson, and of the fee simple value of one thousand to fifteen hundred dollars, not over the latter figure, *and of the annual value of about one hundred dollars.*

2. That the said infants are residents of this County, residing at Windsor, Myrtie C. Johnson having become twelve years of age on the 30th. day of last January, and Wilson R. Johnson having become seven years of age the 13th. day of last April.

That the interests of the said infant defendants will be promoted by a sale of the real estate in the bill mentioned, the whole of it, and an investment of the proceeds in other property, for the following reasons: The tract of land mentioned has only eighteen or twenty acres cleared; is poor land, has only ~~a~~ small building upon it for a dwelling house, which is in need of repair, and outbuildings coming down, as well as poor fences; that the widow and children cannot, themselves, work it and make a living, and if they employ some one else to do so either for wages or as a share-cropper they will get not enough therefrom to pay the taxes and do any appreciable amount toward paying for their living; that they are not convenient to a school; that the widow, in Windsor, or some other town where she will be able to get work as a seamstress, can make a fairly good living and keep the children at school; and that a splendid offer, shown to be more than the value of the land, has been made as will appear by the written offer of Ch. J. Boyce, filed with the papers in this cause, and which your commissioner recommends be accepted.

3. The rights of no person will be violated by such a sale and investment.

That Mattie S. Johnson, widow of said R. L. Johnson, as stated in her answer and in her testimony filed herewith, does not desire her dower to be set apart to her in said land, but that the same be commuted and paid to her in cash.

4. That the heirs at law of the said infant defendants, were they dead, would be J. L. Johnson, J. A. Johnson, uncles, Martha S. Eley, Missouri F. Wright, Tacie V. Holland and Alberta

C. Rose, aunts; brothers and sisters, respectively, of the father of said infants; and Mollie V. Griffin, Clarence Johnson and Charles Johnson, cousins, being children of brothers of the father of said infants.

All persons necessary to this cause are properly before the court.

5. Counsel for the complainant, in this cause, is entitled to \$_____ for his services in instituting and conducting this suit.

There do not appear to be any liens upon the said land, for delinquent taxes, or otherwise.

Respectfully submitted,

R. W. Edmon
Commissioner.

Commissioner's fee \$ 15⁰⁰

I have read the foregoing report and the depositions filed therewith, and see no objection to the confirmation of said report.

G. A. Harris
Guardian ad litem.

Service of notice of the execution of decree mentioned in this report waived.

R. A. Johnson
J. A. Johnson
Martha S. Eley
John V. Koverman
Albert C. Rose
Mollie V. Griffin
Clarence Johnson
Charles Johnson
Mollie S. Johnson

By R. W. Edmon
Counsel

J. S. M. Underwood being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. My name is J. S. M. Underwood, I am sixty four years of age, live in Isle of Wight County, Virginia, and am a farmer.

Q. Do you know Myrtie C. Johnson and Wilson R. Johnson? Ans. Yes sir, they are the children of Rudolph L. Johnson.

Q. Is their father dead or living? Ans. Dead. He died two years ago some time in the past January.

Q. What property did he leave, if you know? Ans. He left a farm, of a hundred acres, which adjoins my property, and some chattel property, which was not over the value of three hundred dollars I feel sure.

Q. Do you know from whom Mr. R. L. Johnson purchased the land you mention? Ans. He purchased it from L. U. Bradshaw,

Q. Where is this tract of land, of which Mr. R. L. Johnson died siezed and possess - ed, located. Ans. It is about three miles from Windsor, in this County, on the main road leading from Windsor to Suffolk.

Q. How many children did Mr. Johnson leave? Ans. Only the two mentioned herein.

Q. Did he leave a will? Ans. Not that I have ever heard of.

Q. How much of the land mentioned is open land, and how much wood land? Ans. About eighteen ac es of the tract is open land, and the balance in wood land.

Q. Is there any timber on the wood land? Ans. No sir, nothing but firewood. A stave mill went over it about four years ago, and left nothing but firewood. There is a little oak, enough posts to fence the land, but there is no salable timber. About half of it was burned over about five years ago and the fire killed everything. There is nothing where the fire went but gall-bushes.

Q. What is the condition of the buildings and fences? Ans. All need repair badly, buildings and fences.

Q. What size dwelling is there on the place? It is a one story building, with two rooms and a kitchen and dining room behind, four rooms in all.

Q. what sort of conditoꝝ is the open land. It is level, hard to drain, light land mostly, and very poor.

Q. What, in your opinion, is a fair fee simple and what a fair annual value for

No, I cannot see how it could be. What would be to the interest of the children would, I believe, be to the interest of any party in interest.

Q. How long have you lived by this property. Ans. Since 1883.

And further this deponent saith not.

J. S. M. Underwood

S. W. Nelms being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Ans. My name is S. W. Nelms, I am forty nine years of age, live in Isle of Wight County, and am a farmer.

Q. Do you know of the land of which R. L. Johnson died siezed and possessed, if so please state where it is, what is its condition, and what you think is its fee simple and its annual values. Ans. I know the land, I have lived right at it all my life. There is about fifteen or eighteen acres of open land, in poor condition, the fences are bad around it, and the buildings are in poor shape, all of them. All the timber is cut off the wood land, and there is not much more than firewood there now, and that is very small. It is located on the road from Windsor to Suffolk, about two miles from Windsor. Go right down to what it is really worth, I would say about a thousand dollars. Right at me, and if I wanted it, I would give more for it, but as to what is really a fair price for it I would say a thousand dollars. It would not rent for more than a hundred dollars a year, and that would be a big price for it.

Q. Do you know of any other property owned by R. L. Johnson's infants? Ans. No sir.

Q. Are you familiar with the chattel property left by Mr. R. L. Johnson? Ans. I think three hundred dollars would cover the whole of it.

Q. Do you know of any other property the children have anywhere? Ans. No sir. Mr. Johnson was a sufferer from Asthma many years before he died, and I have no idea that he left anything more than what could be seen about the place.

Q. Do you or do you not think that it would be to the interest of the infants mentioned to sell the property mentioned and invest the proceeds from such a sale in other property or as the court shall direct? Ans. If as much as twelve or fifteen hundred dollars can be gotten for it I think it would be. They are not big enough to work the land and the widow cannot do it, and she can make her

living in any town and be where she can send her children to school too, and to church.

And further this deponent saith not.

S. W. Kehring.

W. J. Lankford being duly sworn, deposes and says.

Q. Mr. Lankford, please state your name, age, residence and occupation? Ans. W. J.

Lankford, I am sixty one years of age, live in Nansemond County and am a farmer.

Q. Do you know the land of which R. L. Johnson died seized and possessed, on the road from Windsor to Suffolk, in Isle of Wight County, Ans. Yes sir, I do. I have lived in that neighborhood, and in two or three miles of it, for the past thirty years.

Q. What is, in your opinion, a fair annual and a fair fee simple value? Ans. Twelve or fifteen hundred dollars would be a fancy price for it, in my estimation. It will not rent for more than a hundred dollars. Seventy five dollars would be a good price for it.

Q. Do you know the widow and children of Mr. R. L. Johnson? Ans. Yes sir.

Q. Do you think it would or would not be to the interest of the infant defendants to sell this land and invest the money for the benefit of the children under the direction of the court? Ans. I think it would be to their interest to sell the property if they can get as much as fifteen hundred dollars for it. They cannot stay there and keep it up, in any sort of shape, and go to school any. If they were to stay there both the land and the children would suffer.

Q. Do you think that a sale of the property would be prejudicial to the interests of any one? Ans. No sir, I do not.

And further this deponent saith not.

W. J. Lankford

Mattie S. Johnson being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation: Ans. Mattie S. Johnson, 45 years of age, live in Isle of Wight County, Virginia, and am the widow of R. L. Johnson, deceased.

Q. Mrs. Johnson, are you the mother of Myrtie C. Johnson and Wilson R. Johnson, the infant defendants mentioned in this suit? Ans. Yes sir.

Q. What are their respective ages? Ans. Myrtie was twelve years of age on the 30th. day of January, 1922, and Wilson was seven years of age April 13th. 1921.

Q. What property have these two children? Ans. Nothing more than an interest in the farm left by their father. I have a dower therein and they own the balance. When my husband died we had one horse, some household goods, which we have now and some farming implements, not enough to pay funeral expenses, debts and have anything at all left.

Q. Are you living upon the property of your husband now? Ans. No, I have moved to Windsor, where I am living and working, or trying to work and get a living. I could not do so on the land. I could not stay there and pay taxes, keep up the buildings and fences and get a decent living.

Q. Do you think it will be to the interests of your children to sell the land and have the proceeds of such sale invested for their benefit under the direction of the Court? Ans. I do.

Q. What do you desire to be done with your dower interest? Ans. I desire it to be commuted to me and paid in cash.

Q. What is your age, Mrs. Johnson? Ans. Forty five years May 25th. 1921.

Q. Who would be the heirs at law of the infant defendants if they were dead? Ans. J. L. Johnson, J. A. Johnson, uncles, brothers of their father; Martha S. Eley, Missouri F. Wright, Tacie V. Holland and Alberta C. Rose, aunts, and sisters of their father; Mollie V. Griffin and Clarence Johnson, cousins, and children of a brother, (Joseph Johnson) of their father; and Charles Johnson, a cousin, and son of a brother (Charles Johnson) of their father.

Q. Are all these parties mentioned last, and who would be the heirs at law of the said infants, in case they were dead, twenty one years of age? Ans. Yes sir.

Q. Has any offer been made to you for the property left by your husband? Ans.

Yes sir, an offer of twenty one hundred dollars has been made me, by Mr. Boyce

who now resides on the place.

I would like to add that the buildings and fences on the place are out of order, and it will take right much to make necessary repairs. I could not make any repairs. I could not get enough out of the property to keep us living decently. If the children were large enough to work we could not make a living and keep them at school any. I can do some work, in Windsor, and make a fairly good living I believe.

And further this deponent saith not.

Mathie Johnson

I hereby offer to pay to the Circuit Court of the County of Isle of Wight, Virginia, or to whomsoever it may direct, the sum of twenty one hundred dollars, in cash, for the tract of land, in Isle of Wight County, Virginia, on the road leading from Windsor to Suffolk, of which Rudolph L. Johson died seized and possessed, if the same can be conveyed to me within the year 1922.

Also Sign Here =

N. J. Boyce

Mr. Bryce Sign this
and return in
the enclosed envelope

Johnson's Guardian
n } Chumsey No 379
Johnson's Infants & ad.

Comm. Report.

Liquid. Mon. 7th 1925.

R. A. Evans

Chk.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

JOHNSON'S GUARDIAN

VS) CHANCERY. NO _____

JOHNSON'S INFANTS ET ALS.

The answer of Mattie S. Johnson to a bill in equity exhibited against her and others, in the Circuit Court of the County of Isle of Wight, by Mattie S. Johnson, guardian of Myrtie C. Johnson and Wilson R. Johnson.

This respondent, saving and reserving, etc. for answer to said bill of complaint says: that she believes the statements made in the said bill are true; that she does not object to the sale of the tract of land in the said bill mentioned, and the application of the money received therefor as prayed for in said bill, but fully concurs in the prayer thereof; and that she does not require dower in the said land to be assigned to her, but is willing that the cash value thereof be ascertained and paid to her.

And not having fully answered, she prays to be hence dismissed with her reasonable costs etc.

x Mattie S. Johnson

Affidavit to the foregoing answer waived.

Edgar
Counsel for complainant.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. _____

Johnson's Infants et als.

The answers of Clarence Johnson and MUG
Griffin, to a bill in equity exhibited against them, in the
Circuit Court of the County of Isle of Wight, Virginia, by Mattie
S. Johnson, guardian of Myrtie C. Johnson and Wilson R. Johnson,

These respondents, saving and reserving, etc., for
answer to the said bill of complaint, comes and says:

1. That the believe the statements made in the bill
are true.

2. That they do not object to the sale of the land
mentioned in the said bill, and the application of the proceeds
derived therefrom, as prayed for in the bill.

And now having fully answered they pray to be hence
dismissed with their reasonable costs etc.

Mattie Virginia Johnson Griffin
Clarence Johnson

Affidavit to the foregoing answer waived.

Johnson
Counsel for complainant.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. _____

Johnson's infants et als.

The answer of J. L. Johnson, Martha S. Eley, James A. Johnson, Missouri F. Wright, Alberta C. Rose and Charles Johnson, to a bill in equity exhibited against them by Mattie S. Johnson, guardian of Myrtie C. Johnson and Wilson R. Johnson, in the Circuit Court of the County of Isle of Wight, Virginia.

These respondents saving and reserving, etc. for answer to the said bill of complaint, comes and says: that they believe the statements made in the bill are true; that they do not object to the sale of the said land and the application of the proceeds thereof as prayed for in the bill.

And now having fully answered they pray to be hence dismissed with their reasonable costs etc.

J. L. Johnson
Martha S. Eley
James A. Johnson
Missouri Frances Wright
Alberta C. Rose
Charles Johnson

Affidavit to the foregoing answer waived.

Edison
Counsel for complainant.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) nChancery. No. _____

Johnson's infants et als.

The answer of Tacie V. Holland to a bill in equity exhibited against her and others, in the Circuit Court of the County of Isle of Wight, Virginia, by Mattie S. Johnson, guardian of Myrtie C. Johnson and Wilson R. Johnson.

This respondent, saving and reserving, etc. for answer to the said bill, says that she believes the statements therein are true; that she does not object to the sale of the land in the said bill mentioned and an investment of the proceeds thereof under the direction of this Court; and that she concurs in the prayer of said bill.

And now having fully answered she prays to be hence dismissed with her reasonable costs etc.

Tacie V. Holland

Affidavit to the foregoing answer waived.

W. S. Johnson
Counsel for complainant.

Johnson's Guardian

n { Chancery No. 379

Johnson's Infants et al

Commees of

Matth S. Johnson

Matth V. J. Griffin

Clarence Johnson

J. L. Johnson

Martha S. Eley

James A. Johnson

Missouri F Wright

Alberta C Rose

Charles Johnson

David V. Holland

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

JOHNSON'S GUARDIAN

VS) CHANCERY. No. _____

JOHNSON'S INFANTS ET ALS.

The answer of G. A. Harris, guardian ad litem to the infant defendants, Myrtie C. Johnson and Wilson R. Johnson, and the answer of the said infant defendant Myrtie C. Johnson, and the infant defendant, Wilson R. Johnson, by the said G. A. Harris, their guardian ad litem, to a bill in equity exhibited against them and others by Mattie B. Johnson, guardian of Myrtie C. Johnson and Wilson R. Johnson, in the Circuit Court of the County of Isle of Wight, Virginia.

For answer to the said bill the said guardian ad litem answers and says: that he does not know whether the interests of the infant defendants will be promoted by the sale of the property as prayed for in said bill, or not; and the said infant defendants, by their said guardian ad litem, answer and say: that being of tender years they know nothing of the matters mentioned in the bill, and commits to the protection of the Court their interests.

And now having fully answered they pray etc.

G. A. Harris
Guardian ad litem to Myrtie C. Johnson and
Wilson R. Johnson.

Myrtie C. Johnson
By G. A. Harris, her guardian ad litem.

Wilson R. Johnson
By G. A. Harris, his guardian ad litem.

State of Virginia,
City of Suffolk, to-wit:

Sworn and subscribed to before me, Sue Beal Turner, a Notary Public for the City of Suffolk, in the State of Virginia, by G. A. Harris, the above named guardian ad litem, on this 16th. day of January, 1922.

Sue Beal Turner, Notary Public.

My commission expires Feb. 16 1924

My Commission expires
the 16th day of February 1924.
I was Commissioned as Notary as
Sue P. S. Beal.

Johnson's Guardian

n { January No 379

Johnson's Infants & all

Answers of Guardians
ad titulum infantum

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. 379.

Johnson's infants et als.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Your petitioner, Mattie S. Johnson, represents to the Court that she is the widow of the late Rudolph L. Johnson, deceased; that she is the mother of two children, namely Myrtie C. Johnson, who was twelve years of age on the 30th. day of January, 1922, and Wilson R. Johnson, who was eight years of age on the 13th. day of April, 1922: That she has no means of support save and except her own labor; that she has no estate save and except just enough household goods and wearing apparel to make herself and her children fairly comfortable; that both of said children are at school during the school term, and render to her such help as they can when not in school: That the said infants were the fee simple owners of a small farm, in the County of Isle of Wight, State of Virginia, and which is the subject matter of this suit; that from the sale of said farm was received the sum of twenty one hundred dollars, and after the payment of the costs of this suit there was, to be distributed, the sum of \$1932.40, and out of which your petitioner received as the cash value of her dower interest in said land, the sum of \$441.67; that she has invested that sum in a house and lot in the town of Windsor, in this County, and in which she and her children now reside; that she is a seamstress, not an expert by any means, and by which she manages to make sufficient to get something to eat for her said children and her self; that living in town, and having the children in attendance upon school, her income is insufficient to properly ^hclote the said children to make the presentable to go to church and school, in such a manner, with regard to appearance, as will not

invite, or may not invite, criticisms and remarks of other children which may be humiliating to them, and to her; that the income of said children, from the sum which they received from the sale of said farm, after paying the taxes thereon, as required by law, together with what she can make, will not be sufficient to properly take care of said children, unless her income is materially increased; that she desires, in all possible ways, to make what she has and what they have, go as far as possible, not to reduce them to abject and disagreeable want.

In tender consideration whereof, your petitioner prays that she may be paid, by the special commissioner herein, the income from the funds of said children, arising out of the subject matter of this suit, which, after paying taxes and the expense of this suit, will amount to hardly more than seventy five dollars a year, for their maintenance, education and support, and that in addition thereto she may be paid from the principal of said funds, a sum not to exceed, together with said income, at the rate of \$ 15⁰⁰ per month for each of said children.

And your petitioner will ever pray, etc.

Mattie S. Johnson.

State of Virginia,

County of Isle of Wight, to-wit:

I, S. T. Holland, a Notary Public for the County of Isle of Wight, State of Virginia, do hereby certify that Mattie S. Johnson, whose name is subscribed to the foregoing petition, has this day personally appeared before me, in my said County, and made oath that she has signed the petition, and that the statements therein made are true to the best of her knowledge and belief.

Given under my hand this 5th day of June, 1922.

S. T. Holland, Notary Public.

My commission expires

Nov. 12, 1923.

Petition

Johnson's guardian
vs) Chancery. No. 579
Johnson's infants et als.

Filed July 5, 1922.

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

JOHNSON'S GUARDIAN

VS) CHANCERY. NO _____

JOHNSON ET ALS.

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Humbly complaining, your complainant, Mattie S. Johnson, sheweth to the Court the following case:

1. That on the 20th. day of December, 1921, she was appointed and duly qualified as guardian of Myrtie C. Johnson, who was eleven years of age January 30th. 1921, and Wilson R. Johnson, who was seven years of age on the 13th. day of April, 1921, infant children of R. L. Johnson, deceased, as will appear by a copy of the order of the Circuit Court of the County of Isle of Wight, attached hereto and to be taken and read as a part of this bill.

2. That the said infants are the owners, in fee, of a certain tract, piece or parcel of land, situate, lying and being in the County of Isle of Wight, and State of Virginia, containing one hundred acres, be the same more or less, and of which their father, R. L. Johnson, died siezed and possessed, the same having been conveyed to the said R. L. Johnson by L. U. Bradshaw and wife, by their deed bearing date the 30th. day of December, 1911, and is of record in the Clerk's Office of the said Court in Deed Book No. 79, page 440, subject to the dower therein of their mother, Mattie S. Johnson, widow of the said R. L. Johnson.

3. That the said R. L. Johnson owned no personal estate more than a horse, some household goods and farming uten-

sils, at the time of his death, and the said infants have no other personal estate that that which was left by their father.

4. That the property herein mentioned is all the property, real and personal, which said infants own.

5. Your complainant thinks that the interests of her wards will be greatly promoted by a sale of the said real estate, and an investment of the proceeds in other property, as provided by law; and she thinks that the following facts are calculated to show the propriety of such a sale and investment: (a) that your complainant has been living with the said infant children, upon the said land, ever since the death of the said R. L. Johnson, and finds it impossible to work the same to any advantage, believing that she does not get as much out of the place as the interest on its value, the taxes, insurance and half enough to support herself and family; (b) that she does not believe the said land will rent for a sufficient amount to pay the taxes, insurance, upkeep and may any substantial amount of return for the support of the said infant children: (c) that the dwelling house and out-buildings are out of repair, as well as the fences enclosing the arable land, and she has nothing out of which to make the needed repairs and no source from which to get it: (d) that she is informed that a reasonable price can now be had for said land, as much as it is worth.

6. Your complainant believes that the rights of no person will be violated by such a sale and investment.

7. If the said infants were dead the following named would their heirs at law or distributees, to-wit: (a) John L. Johnson, an uncle: (b) James A. Johnson, a uncle: (c) Martha Eley, an aunt: (d) Missouri ^FWright, an aunt: (e) Tacie V. Holland, an aunt: (f) Alberta ^CRose, an aunt: all sisters and brothers of the said R. L. Johnson, deceased; ~~and~~, (g) Charles Johnson, son of Charles Johnson, a brother of the said R. L. Johnson, deceased, the said Charles Johnson, Jr., being the only child and

heir at law of the said Charles Johnson, Sr; and *Mollie V. J. Griffin, and Charles Johnson, children of Joseph H. Johnson, deceased brother of said R. L. Johnson.*

In tender consideration of the premises, and forasmuch as your complainant is remediless therein, save in a court of equity, where matters of this kind are alone and properly cognizable and relievable, your complainant prays that the said Myrtie C. Johnson and Wilson R. Johnson, infants under the age of twenty one years, and the said Mattie S. Johnson, widow of said R. L. Johnson, deceased, and John L. Johnson, James A. Johnson, Martha S. Eley, Missouri Wright, Tacie V. Holland, Alberta C. Rose, ^{Clarence Johnson and Mollie J. Griffin} and Charles Johnson, may be made parties defendant to this Bill, and required to answer the same; the infants by their guardian ad litem to be assigned to them, and the adults in their proper person, though not under oath, answer under oath as to the said adults being hereby expressly waived; that a guardian ad litem may be assigned the said infant defendants to defend their interests in this suit, and who may be required to answer the said bill of complaint, under oath; that the said land may be decreed to be sold and the proceeds of such sale invested as the Court shall direct; that all proper allowances and counsel fees may be made herein; that all proper accounts may be taken, inquiries directed, and such other, further and general relief may be granted, as to equity and good conscience may seem meet and proper; and that proper process may issue.

And your complainant will ever pray, etc.

Mattie S. Johnson
guardian of Myrtie C. Johnson
and Wilson R. Johnson.

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, State of Virginia, do hereby certify that Mattie S. Johnson, the complainant in the above Bill, has, this day, personally appeared before me in my said County, and made oath that she believes that the several statements made in the forgoing bill to be true.

Given under my hand this 10th day of December, 1921.

H. Johnson

Commissioner in Chancery.

Johnson's Guardian
 n } Chancery No 379
 Johnson's Infants et al

Bill of Complaint

March 6-1922

Bill filed in Open court.
 answers of all adult de-
 fendants filed. gdn ad-
 lelem appointed for us.
 Joint defendants. answers
 of gdn and lelem filed.
 Cases ordered doctored

No.

Know all Men by These Presents: That we **Milton Johnson**

principal ,

and

The United States Fidelity and Guaranty surety ,
Company

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of **twenty five hundre**
dollars to the payment whereof well and truly to be made we bind ourselves and each of us, our and each
of our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

And as to this bond we hereby severally waive the benefit of our Homestead Exemption, and also any right,
claim or privilege to discharge any liability arising hereunder to the said Commonwealth, or by virtue of the said
office or trust for which this bond is given, with coupons detached from the bonds of this State.

IN TESTIMONY WHEREOF, the said **Milton Johnson** principal ,

has hereto set his hand and affixed his seal;

and the said **The United States Fideilty and Guaranty Company** surety ,

by **R.L. Woodward** , its duly authorized

agent and attorney in fact, has caused its corporate name and seal to be hereunto affixed, the said seal to be attested

by the signature of the said **R.L. Woodward** , its said agent and attorney

in fact, this, the **30th** day of **March** A. D. 19 **22**

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound **Milton Johnson**,
who has been appointed as Special Commissioner, by decree entered by the Circuit
Court of the County of Isle of Wight, on the 28th day of March, 1922, in the
chancery cause therein depending styled, generally, Johnson, guardian, vs,
~~John~~ Johnson's infants et als

shall faithfully discharge the duties of his office or trust as such **special commissioner**
under the said decree or any future decree entered in said cause
, then the above obligation to be void, or else to remain in full force and virtue.

-----**Milton Johnson**-----[SEAL]

-----**United States Fideilty and Guaranty**-----
Company

By-----**R.L. Woodward**-----

Its duly authorized agent and attorney in fact.

Attest:-----**R.L. Woodward**-----

Agent and attorney in fact.

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the **30th**
day of **March** 19 , this bond was duly executed and acknowledged by the obligors to the same
and ordered to be recorded.

-----**H. A. Egan**-----Clerk.

Johnson's Guardians

vs

By

Johnson's Infants

Filed.

Aug 30-1925.

N. A. Edwards,
clerk.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants, et als.

This cause came on this day to be again heard, upon the papers formerly read, and upon the report of Milton Johnson, special commissioner, this day, by leave of court, filed, and to which report there is no exception, and was argued by counsel: And it appearing from said report that the said Milton Johnson, special commissioner, as directed by decree entered in this cause on the 8th. day of September, 1925, has collected from Mattie S. Johnson the amount of the bond held by him, as special commissioner, against her, aggregating, principal and interest, as of the 15th. day of September, 1925, the sum of \$732.88; that he has paid the unpaid costs of this suit, amounting to twelve dollars, clerk fees; that the amount remaining in his hands, being \$720.78, belongs, one half to Myrtie C. Johnson, and one half to Wilson R. Johnson, the infant defendants in this cause, that is to say \$360.39 each; that he has paid the said amounts to said infants to their mother, Mattie S. Johnson, to be used by her for their proper maintenance and support; that he has cancelled the bond held by him against the said Mattie S. Johnson, and has delivered same to her; that vouchers for the payment of the costs of this suit and the payments to said Mattie S. Johnson are attached to said report: upon consideration whereof, it is adjudged, ordered, and decreed that the said report be, and is, hereby, confirmed.

And it is further adjudged, ordered and decreed that this suit be stricken from the docket, there remaining nothing further to be done therein.

VIRGINIA: IN THE CIRCUIT COURT OF ISLE OF WIGHT, IN VACATION,
THE 20TH. DAY OF DECEMBER , 1921.

Upon the motion of Mattie S. Johnson, mother of Myrtie C. Johnson, and Wilson R. Johnson, infant orphans of R. L. Johnson, deceased, who died, a resident of the County of Isle of Wight, State of Virginia, on the 20th. day of January, 1920, the said infants being eleven years of age on the 30th. day of January, 1920, and seven years of age on the 13th. day of April, 1920, respectively, it is ordered that she be, and is, hereby, appointed as and for the guardian of the said Myrtie C. Johnson and Wilson R. Johnson.

Whereupon, the said Mattie S. Johnson, together with Milton Johnson, her surety, who justified, upon oath, as to his sufficiency, entered into and acknowledged a bond, in the penalty of two hundred dollars, payable and conditioned as the law directs, and upon which it is ordered that she be granted certificate of qualification as such guardian.

B. D. White,

Judge of the Circuit Court of the
County of Isle of Wight.

A copy, Teste, R. A. Edwards, Clerk.

Virginia: Circuit Court
of Isle of Wight County

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants et als.

Note for decree.

Enter this Sept. 29th. 1925.

Book 8
Page 201

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, Special Commissioner, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel: And it appearing from said report, that the said special commissioner, as directed by decree entered herein as of the 5th. day of January, 1925, has credited the bond of Mattie S. Johnson with the sum of \$4.44; that he has collected from the said Mattie S. Johnson \$25.61, being interest due upon said bond from June 30th. 1925 to January 1st. 1925; that he has credited said bond with \$154.39 as of the 1st. of January, 1925, the said interest and the credit both being used as a payment to said Mattie S. Johnson, of \$180.00, for the support and maintenance of said infant defendants, Myrtie C. Johnson and Wilson R. Johnson, her wards; that there was due upon said bond, as of the 1st. day of January, 1925, the sum of \$699.50; that the said bond, or the amount evidenced thereby, belongs to the said infant defendants, the said Myrtie C. Johnson and Wilson R. Johnson; and that the sum accruing to each under said bond is less than five hundred dollars: Upon consideration whereof, the Court doth adjudge, order and decree that the said report be, and is, hereby, confirmed: And it is further adjudged, ordered and decreed that the said Milton Johnson, special commissioner as aforesaid, collect from the said Mattie S. Johnson, the amount due upon said bond, and after paying the costs of this suit up to and including final decree, pay the balance in his hands to said Mattie

S. Johnson, who is the mother of said infant defendants, to be used by her for their proper maintenance and support.

And the said special commissioner shall make report of his doings hereunder.

19-
Virginia: In the Circuit
Court of the County of
Isle of Wight.

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants et als.

Note for decree.

Enter this Sept. 8th. 1928.

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page 289

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

v) Chancery. 379.

Johnson's Infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, special commissioner in this cause, this day, by leave of court, filed, and to which there is no exception; and was argued by counsel.

And it appearing from said report that the said special commissioner has collected from Mattie S. Johnson as interest on her bond, from the 30th. dat of June 1923 to the 30th. day of June, 1924, amounting to \$51.49; that he has collected from Farmers Bank of Nansemond the interest on the sum on deposit therein to his credit as special commissioner in this cause, amounting to \$12.68, the amount of the bond aforesaid, being \$858.33, as shown by former pleadings in this cause; and the amount in Farmers Bank of Nansemond being \$317.13 on which interest was collected as aforesaid; that the interest on the bond aforesaid, and on the fund in Farmers Bank of Nansemond, as aforesaid, together with the principal of the fund in said Farmers Bank of Nansemond aggregates the sum of \$355.56; that all of said amount has been paid to said Mattie S. Johnson, to be used by her for the education, maintenance and support for the infant defendants, Myrtie C. Johnson and Wilson R. Johnson, as directed by the decree entered herein on the 7th. day of July, 1924; that the sum directed to be paid to said Mattie S. Johnson was \$360.00; that there is still a balance of \$4.44 due to the said Mattie S. Johnson, for the purposes aforesaid; that there

is now nothing in the hands of said special commissioner except the bond of \$858.33, of the said Mattie S. Johnson; that the financial condition of the said Mattie S. Johnson is unchanged: On consideration whereof the court doth adjudge, order and decree that the said report be, and is hereby, confirmed: and it is further adjudged, ordered and decreed that the said Milton Johnson special commissioner, credit the bond of the said Mattie S. Johnson with the sum of \$4.44, on the principal, as of the 30th. day of June, 1924; that he pay the costs of this suit up to and including the entry of this decree, which are unpaid; and that he collect from the said Mattie S. Johnson, interest on the balance due on her bond after deducting the credit of \$4.44 above mentioned, from June 30th. 1924 till the 1st. day of January 1925, and then sufficient upon the principal of said bond to make, with said interest, the sum of one hundred and eighty dollars, and pay the said sum over to said Mattie S. Johnson, to be used by her in the support, maintenance and education of said infant defendants, the sum so collected from her to be credited upon her said bond.

And the said special commissioner shall make to the court a report of his doings hereunder.

- 17 -
Virginia: Circuit Court of
Isle of Wight County.

Johnson's guardian

v) Chancery. 379.

Johnson's Infants et als.

Note for decree.

Enter this Jan. 5th. 1925.

1200

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page 254

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

v) Chancery. No. 379.

Johnson's Infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, Special Commissioner, this day, by leave of court, filed, and to which there is no exception, and was argued by counsel: And it appearing from said report that the said Milton Johnson has collected from Mattie S. Johnson the interest due on her bond of \$858.33 up to June 30th. 1923, amounting to \$25.75, and interest on the sum of \$465.08, deposited in Farmers Bank of Nansemond up to June 30th. 1923, aggregating the sum of \$32.05; that he has taken from the sum in Farmers Bank of Nansemond, amounting to \$465.08, the sum of \$147.95, which, together with the interest collected as aforesaid, aggregates the sum of \$180.00, which is to cover the amount directed to be paid to said Mattie S. Johnson to be used by her for the support and maintenance of the infant children, Myrtie C. Johnson and Wilson R. Johnson covering from January ^{1st} 30th. 1923 to June 30th. 192⁴, voucher of said Mattie S. Johnson being attached to said report, showing payment of said sum to her; and that the financial condition of said ~~W~~ Mattie S. Johnson is unchanged and that in order to properly clothe her said children and ^{maintain} ~~feed~~ them, it will be necessary there be a continuance of the payment of such sum of money to her for the same purpose, to-wit: the sum of fifteen dollars a month, for each of the said children: On consideration whereof the Court doth adjudge, order and decree that the said report be, and is, hereby confirmed; and it is further adjudged, ordered and decreed that the said special commissioner collect

the interest due from said Mattie S. Johnson, upon her bond aforesaid, from June 30th. 1923 to June 30th. 1924, and the interest on the amount deposited in Farmers Bank of Nansemond, as aforesaid, said amount being \$317.13, and to the aggregate amount of such interest add a sufficient sum, to be taken from the amount in said Farmers Bank of Nansemond, to make the sum of \$360.00, and pay the same to said Mattie S. Johnson, for the support and maintenance of said infant children.

And the said special commissioner shall make report of his proceedings hereunder.

Virginia: Circuit Court of the
County of Isle of Wight.

Johnson's guardian

v). Chancery. No. 379

Johnson's infants et als.

Note for decree.

Enter this :

1924
July 9.
Enter this
P.W.

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E & J

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF
WIGHT.

Johnson's Guardian

v) Chancery. No. 379.

Johnson's Infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, Special Commissioner, this day, by leave of court, filed, and to which report there is no exception, and was argued by counsel:

And it appearing from said report that the said Special Commissioner has collected from Mattie S. Johnson, interest on the bond held against her, from June 1st. 1922 to January 1st. 1923, amounting to \$30.03:

That he deposited in Farmers Bank of Nansemond, the sum of \$632.40, on interest, and that he has collected the accrued interest thereon from July 1st. 1922 to January 1st 1923, amounting to \$12.65:

That he has paid ^{said Mattie S. Johnson Guardian} said items of interest, amounting in the aggregate to \$42.68:

That he has taken from the principal of the sum deposited in the said Bank, the sum of \$167.32, to make up the amount of thirty dollars per month to be paid to the said Mattie S. Johnson, which was directed, by decree entered in this cause on the 5th. day of July, 1922, for the support and maintenance of the infant defendants, Myrtie C. Johnson and Wilson R. Johnson:

That there is now in the said Farmers Bank of Nansemond, on interest, interest beginning January 1st. 1923, the sum of \$465.08:

That the financial condition of the said Mattie S.

Johnson is unchanged and that she needs funds to be advanced from the interest accruing on the balances in the hands of said Special Commissioner, as herein shown, and sufficient of the principal to make up the sum of thirty dollars a month for the support and maintenance of both of said infants:

That the bond of the said Special Commissioner is in the penalty of \$2500, and that the total amount for which he was, on the 1st. day of January, 1923, responsible, was \$1323.41, which sum is constantly decreasing:

Upon consideration whereof, it is adjudged, ordered and decreed that the said report be, and is, hereby confirmed: And it is further adjudged, ordered and decreed that the said Milton Johnson, Special Commissioner, do collect the interest due by the said Mattie S. Johnson, on the bond held against her, of \$858.33, and the interest due by Farmers Bank of Nansemond, on the 30th. day of June, 1923, and then add to the interest so collected a sufficient amount from the fund in said Farmers Bank of Nansemond to make the total sum of one hundred and eighty dollars, pay the same over to the said Mattie S. Johnson for the support and maintenance of the said infant defendants, take her receipt therefor, and make report to the court thereof.

And it is also adjudged, ordered and decreed that the penalty of the bond of the said special commissioner shall be reduced to the sum of \$1500.00; and that the said special commissioner shall pay the costs of this suit, up to and including the entry of this decree, which shall be reported in his next report filed herein.

13
Virginia: In the Circuit
Court of Isle of Wight
County.

Johnson's Guardian

v) Chancery. No. 379

Johnson et als.

Note for decree.

Enter this May 7th. 1923.

Entered in Chancery Order

Book No. 8, page 143

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. 379.

Johnson's infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, Special Commissioner, this day, by leave of court, filed, and to which there is no exception: and upon the petition of Mattie S. Johnson, also, this day, by leave of court, filed, as to all of which argument of counsel was heard.

It appearing from the report of the aforesaid special commissioner that he has, in obedience to the decree entered herein on the 18th. day of April, 1922, loaned to Mattie S. Johnson the sum of \$858.33, taken her bond therefor, payable to himself as special commissioner in this cause, on demand, bearing date the 1st. day of June, 1922, bearing interest from date at the rate of six per centum per annum, and containing a waiver of the Homestead Exemption, and has secured the same by a deed of trust bearing same date with said bond, covering the lot in the town of Windsor, in this County, mentioned in said decree of April 18th. 1922, being the same conveyed to the said Mattie S. Johnson by M. R. Holland and wife, and which contains a provision requiring the buildings on the said lot to be kept insured for the sum of one thousand dollars; that such insurance has been effected upon said property; that he has paid to said Mattie S. Johnson, widow of Rudolph L. Johnson, deceased, the sum of \$441.67, that being the cash value of her dower interest in the tract of land sold under this suit, and has taken her receipt therefor; that he has deposited in Farmers Bank of Nansemond the balance in his hands, after payment of costs herein, the dower

interest as aforesaid, and making the loan aforesaid, namely, the sum of \$632.40, on an interest bearing account, it is adjudged, ordered and decreed that the said report be, and the same is, hereby, confirmed.

And it further appearing, from the petition of the said Mattie S. Johnson, filed herein, on this day, as aforesaid, the mother of the infant defendants herein, that they, the said infant defendants, have no means of support save and except the income derived from the loan aforesaid and the amount deposited in bank as aforesaid; that they have no other property whatever; that such income is inadequate for their proper education, maintenance and support, it is ordered that the said special commissioner, at the end of the year 1922, collect the income from said loan and balance deposited as aforesaid, pay the same over to the said Mattie S. Johnson, and in addition thereto a sum from the principal of said infants estate to make up the sum of fifteen dollars per month, for each of them, beginning June 1st. 1922, take her receipt therefor, and file same with his report, which shall be made and filed as soon after the end of 1922 as is convenient.

And this cause is continued.

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

Johnson's guardian
vs) Chancery. No. 379
Johnson's infants et als.

Note for decree.

Enter this decree July 5
1922.

1274
Judge.

C.O.B # 8
page 114

A. S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C. H., VA.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

vs) Chancery. No. 379

Johnson's infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Milton Johnson, special commissioner herein, this day, by leave of court, filed, and to which there is no exception: and it appearing from said report, and the pleadings in this cause, that the said Milton Johnson has executed the bond required by him by decree entered herein on the 28th. day of March, 1922; that he has executed and delivered to N. J. Boyce a deed, conveying to him the tract of land in this suit mentioned, and as directed by said decree of the 28th. day of March, 1922, and has collected therefor the sum of twenty one hundred dollars, out of which he has paid the cost of this suit as follows:

Writ tax on suit,	\$ 1.50
Court costs,	22.60
Commissioner in Chancery,	15.00
Draft of deed to purchaser,	10.00
War Tax on deed,	2.50
Commissions to Special commissioner,	31.00
Counsel fee allowed by court,	75.00
Premium on bond of special commissioner,	10.00,

aggregating the sum of \$167.60, all of which appears by vouchers, receipted, accompanying said report, leaving a balance to be distributed of \$1932.40, and out of which Mattie S. Johnson, widow of said Rudolph L. Johnson, deceased, is entitled, as cash value of her dower, the sum of \$441.67, it is adjudged, ordered and decreed that the said report be, and is, confirmed.

It is further adjudged, ordered and decree that the said Milton Johnson, special commissioner as aforesaid, out of the money remaining in his hands, pay to the said Mattie S. Johnson the sum of \$441.67, which is the cash value of her dower in the tract of land sold under this suit, take her receipt therefor and file the same with his next report.

And it further appearing from the report of the said special commissioner that the said Mattie S. Johnson has purchased, from M. R. Holland, a lot in the town of Windsor, in this County, for the sum of thirteen hundred dollars, which sum it is well worth, according to the opinion of said special commissioner, and the opinion, in writing, of C. F. Joyner and J. W. Babb, filed with said report, and upon which she desires to obtain a loan of \$858.33, from said special commissioner, it is also adjudged, ordered and decreed that the said Milton Johnson, special commissioner as aforesaid, lend to the said Mattie S. Johnson the sum of \$858.33 of the funds in his hands, as aforesaid, take from her her bond therefor, payable to himself as special commissioner in this cause, on demand, and which is to be secured by a deed of trust on the lot purchased by her as aforesaid, which shall be the first lien thereon, and which shall require the buildings upon the said property to be constantly insured for the sum of \$1000 for the further protection of said special commissioner, and after title to the said property shall have been approved, in writing, by an attorney practising in this court, the expense of which shall be borne by the said Mattie S. Johnson.

And the said special commissioner shall make report of his proceedings hereunder ~~during the present term or the next succeeding term of this court.~~

And this cause is continued.

8

Johnson's guardian
vs) Chancery. No. 379
Johnson's Infants et als.

Note for decree.

To be entered Apr. 18
_____, 1922.
W. H. W.

C. O. B. v. #8
page 106

A.S. JOHNSON
ATTORNEY AT LAW
ISLE OF WIGHT C.H., VA.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

Johnson, Guardian,

vs) Chancery. No. 379

Johnson's Infants et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of R. A. Edwards, Commissioner in Chancery, filed herein on the 7th. day of March, 1922, and made, after due notice to all the parties to this suit, the depositions of witnesses taken in connection therewith, such depositions having been taken in the presence of the guardian ad litem of the infant defendants, reduced to writing and returned with said report as a part thereof, and upon argument of counsel: And it appearing from the said report that the infant defendants, Myrtie C. Johnson and Wilson R. Johnson, have no personal estate; that they are seized in fee simple of a tract of land, in the County of Isle of Wight and State of Virginia, on the road leading from Windsor to Suffolk, and adjoining the lands of J. S. M. Underwood and others, containing one hundred acres, more or less, of which their father, Rudolph L. Johnson, died siezed and possessed, and which descended and passed to them by inheritance, the said Rudolph L. Johnson having died intestate, their shares in said land being equal subject, however, to the dower interest therein of their mother, Mattie S. Johnson, the annual value thereof being about a hundred dollars, and the fee simple value being from one thousand to fifteen hundred dollars, not over the latter figure; that the said infant defendants are residents of this County, residing at Windsor, with their mother; that said Myrtie C. Johnson was twelve years of age on the 30th. day of January, 1922; that Wilson R. Johnson was seven years of age on the 13th. day of April, 1921; that the interests of the said infant defendants will be promoted by a sale of the said real estate, and the

The re-investment
and ~~management~~ of the proceeds derived from such a sale by the Court,
as the law directs; that the rights of no person will be violated by
such a sale and investment; that the said Mattie S. Johnson, *who is forty five years of age* widow
of R. L. Johnson desires her dower to be paid her in money; that the
heirs at law of the said infant defendants, if they were dead, would
be J. L. Johnson and J. A. Johnson, uncles: Martha S. Eley, Missouri
F. Wright, Tacie V. Holland and Alberta C. Rose, aunts: brothers and
sisters, respectively, of their father; and Mollie V. Griffin, Clar-
ence Johnson and Charles Johnson, cousins, they being children of
deceased brothers of their father; that all persons necessary to
this cause are properly before the court; that there are no liens
against said real estate for delinquent taxes, or otherwise; that
N. J. Boyce has made an offer for the said tract of land of twenty
one hundred dollars, which offer is in writing and attached to said
report; that the said commissioner recommends sale of the said tract
of land to the said N. J. Boyce, for the sum of twenty one hundred
dollars, as it appears to be very much more than the estimated val-
ue of the said tract of land: Upon consideration whereof it is ad-
judged, ordered and decreed that the said report ~~be~~ and is, hereby
confirmed: and it is further adjudged, ordered and decreed that
the said tract of land be conveyed to the said N. J. Boyce by Milton
Johnson, Special Commissioner, who is hereby appointed a special
commissioner for that purpose, upon the payment to him of the sum of
twenty one hundred dollars by the said N. J. Boyce, said conveyance
to be by a good and sufficient deed, with covenant of special war-
ranty. Out of the said sum of twenty one hundred dollars the said
Milton Johnson, Special Commissioner, shall pay to A. S. Johnson,
counsel conducting this suit, the sum of \$ 75.00, for his
services in instituting and conducting this cause, and the costs of
this suit, and the balance he shall hold subject to the further or-
der of this court.

But the said Milton Johnson shall do no act under this de-
cree until he shall have executed a bond, with surety deemed suffi-

cient by the Clerk of this Court, in the penalty of twenty five hundred dollars, payable and conditioned for the faithful performance of his duties under this or any future decree entered in this cause.

And the said Special Commissioner shall make report to the court of his doings hereunder.

And this cause is continued, generally.

6

Johnson, Guardian
vs } Chumery No 379
Johnson's Infants et al.

Note for de cur

1922

Mar. 28.

Enter this.

T.D.W.

Book 8, Page 104.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Mattie S. Johnson, guardian of
Myrtie C. Johnson and Wilson R.
Johnson

vs) Chancery.

Myrtie C. Johnson and Wilson R.
Johnson, infants under the age
of fourteen years; and Mattie
S. Johnson, Mollie V. J. Grif-
fin, Clarence Johnson, J. L.
Johnson, Martha S. Eley, J. A.
Johnson, Missouri F. Wright,
Alberta C. Rose, Charles John-
son and Tacie V. Holland, adults.

This day came Mattie S. Johnson, guardian of Myrtie C.
Johnson and Wilson R. Johnson, and, by leave of Court, filed her
bill, verified by her oath thereto, and the exhibits therewith;
and, on her motion, G. A. Harris, a discreet and competent attor-
ney at law, practicing in this court, is assigned as the guardian
ad litem to the infants, Myrtie C. Johnson and Wilson R. Johnson,
to defend their interests in this suit; and, thereupon, ^{by leave of Court} the said
guardian ad litem filed his own answer, and the answer of the said
infant defendants, on oath, to the bill of complaint; and ^{on like motion and by leave of Court} the ad-
ult defendants, Mattie S. Johnson, Mollie V. J. Griffin, Clarence
Johnson, J. L. Johnson, Martha S. Eley, J. A. Johnson, Missouri
F. Wright, Alberta C. Rose, Charles Johnson and Tacie V. Holland,
filed their own answers to said bill; to which several answers
the complainant replied generally; and, thereupon, by consent of
all parties, by counsel, this cause is set for hearing and docketed;
and by like consent came on this day to be heard upon the bill of
complaint and the exhibits therewith, the several answers of the
defendants to said bill as above set out, and the general replication
of the complainant to all of said answers, and was argued by counsel:

On consideration whereof, the Court doth adjudge, order

and decree that this cause be referred to one of the Commissioners of this Court, who is directed to inquire and report to court as follows:

1. Of what estate, real and personal, the infant defendants, Myrtie C. Johnson and Wilson R. Johnson, are possessed or entitled, and what are their respective shares or interests therein, ^{and how acquired} where such estate is situated, and what is its fee simple and annual values.

2. ^{The respective ages and places of residence of the infants and} Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property.

3. Whether the rights of any person will be violated by such a sale and investment.

3a. ^{The age of the said Myrtie S. Johnson and whether she has her own interests, and if so, in what, and the cash value.}
4. Who would be the heirs at law and distributees of the said infant defendants if they were dead, and whether all such ^{as well as all necessary and proper parties} persons ^{are} properly before the court in this cause.

5. What will be a fair compensation to be allowed to counsel for the complainant out of the proceeds of sale of the infants land for his service in instituting and conducting this suit.

6. Which said inquiries the said commissioner shall make, after first giving notice of the time and place thereof to all parties, or their counsel, and report the same to court, along with any matter specially stated, deemed pertinent by himself, or required by any party to be so stated.

Johnson's Guardian
 n { Chancery No 379
 Johnson's Infants et al

Note for decree

Enter this

1922
 Mar. 6th
 enter this
 B.D.W.

Book 8
 page 103

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants, et als.

TO HONORABLE BENJAMIN DEY WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT,
VIRGINIA.

The undersigned, special commissioner in the above entitled cause in chancery, now pending in the court of your Honor, respectfully reports to the court that in accordance with the directions of the decree entered in the said suit, on the 8th. day of September, 1925, has collected from Mattie S. Johnson the amount of the bond, against her, the principal of which was, on the first day of January, 1925, \$699.50, with accrued interest to the 15th. day of September, 1925, amounting to \$33.28, principal and interest aggregating \$732.88; that he has paid the unpaid costs of this suit, the unpaid costs being \$12.00 clerk fees; that after the payment of the said costs there was left in his hands a balance of \$720.78, one half of which belongs to Myrtie C. Johnson, and one half to Wilson R. Johnson, the infant defendants to this suit, that is to say, \$360.39 each; that he has paid the said amounts belonging to the said infants to Mattie S. Johnson, to be used by her for the proper maintenance and support of said infants; and has cancelled the said bond and delivered the same to the said Mattie S. Johnson, and, at her request, has released the deed of trust securing the same.

Vouchers for the payments herein stated are attached to and made a part of this report.

There appears to be nothing further remaining to be done in this cause and it can be dismissed.

Respectfully submitted,

Milton Johnson
Special Commissioner.

Received of Milton Johnson, special commissioner in the suit of Johnson's Guardian v. Johnson's Infants, the sum of twelve dollars, being balance due as clerk fees, to dismissal of said suit.

R. H. Edwards N, Clerk.

Received of Milton Johnson, to be used for the proper maintenance and support of Myrtie C. Johnson and Wilson R. Johnson, the aggregate sum of \$720.78, that is to say \$360.39 for each of the children named.

Myrtie C. Johnson.

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

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants et als.

Report of special commissioner.

Filed Sept. _____, 1925.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND
WRITES BONDS OF ALL KINDS

R. A. EDWARDS, AGENT,

-:-

ISLE OF WIGHT, VA.

BOND NUMBER

DATE DUE

\$

PREMIUM DUE

Annual Premium Notice.
Principle

Notice is hereby given that the annual premium, for the ensuing year, is due and payable on or before date covering this bond in the penalty \$....., on your behalf as

Prompt payment will be appreciated. REMEMBER PREMIUMS CONTINUE TO ACCUMULATE UNTIL BOND IS ORDERED CANCELED.

Received Payment.....

.....AGENT

N. D. Day - 150
 atty fee 1500 +
 Clerk 1710
 Com Rpt 1500
 cr 910

0 151
 0 55
 # 0 26
 0 01
 0 02
 0 99

0 0099
 0 0500
 0 0011
 21
 0 055

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's Guardian,

v) Chancery, 379.

Johnson's Infants, et als.

TO HONORABLE BENJAMIN DEY WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT,
VIRGINIA.

The undersigned, special commissioner in this cause, respectfully reports to the Court, that as directed by the decree entered herein on the 5th. day of January, 1925, he has credited the bond of Mattie S. Johnson with \$4.44, as of the 30th. day of June, 1924, leaving a balance due on said bond, as of that date, of \$853.89. That he has collected interest on the balance due upon said bond, as aforesaid, from the 30th. day of June, 1924 to January 1st. 1925, which amounts to \$25.61. That he has credited said bond with \$154.39, as of the 1st. day of January, 1925, the said interest and the said credit, amounting to \$180.00, the amount directed to be paid to the said Mattie S. Johnson, for the support and maintenance of the said infant defendants, her wards, from the 30th. day of June, 1925 to January 1st. 1925, leaving a balance due upon said bond as of the 1st. day of January, 1925, of \$699.50.

The amount of said bond, as of the 1st. day of January, 1925 was \$699.50. There are two of the infant defendants to whom this bond, or the amount evidenced thereby, belongs. Your commissioner being advised that the law provides that in cases where the sum accruing to an infant under such a proceeding as this is less than five hundred dollars, that such sum so accruing to an infant, may be paid direct to the infant or to some one for said infant. If this be true, then your commissioner recommends, believing that it will

save considerable expense and time and trouble, that the bond be collected from the said Mattie S. Johnson, cancelled, and that the money so collected from her be paid over to her to be used by her in the maintenance and support of said infants, as is provided by law in such cases.

Respectfully submitted,

Milton Johnson

Received from Milton Johnson, special commissioner in the chancery cause in the Circuit Court of the County of Isle of Wight under the general style of Johnson's guardian v. Johnson's infants, the sum of one hundred and eighty dollars, for the care and maintenance of Wilson R. Johnson and Myrtie C. Johnson, for the period of six months from June 30 1924 to Jan 1 - 1925

Mattie S. Johnson

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

Johnson's Guardian

v) Chancery. 379.

Johnson's Infants, et als.

Report of special commiss-
ioner.

Filed September 8th. 1925.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT, VIRGINIA

The Linden Printing Company, Hartford, Connecticut

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Johnson's guardian

v) Chancery. No. 379.

Johnson's Infants, et als.

To Honorable Benjamin Dey White,

Judge of the Circuit Court of the County of
Isle of Wight, Virginia.

The undersigned, special commissioner in this cause, respectfully reports to the Court that in obedience to the decree entered herein on the 7th. day of July, 1924, that he has collected from said Mattie S. Johnson, as interest on her bond from the 30th. day of June; 1923 to June 30th. 1924, amounting to \$51.49, and has collected from Farmers Bank of Nansemond, the interest, for the same time, due on the sum therein deposited, amounting to \$12.68, and has added the same to the sum so deposited in Farmers Bank of Nansemond, of \$317.13, the whole aggregating the sum of \$355.56, all of which he has paid to said Mattie S. Johnson for the education, support and maintenance of her infant children, Myrtie C. Johnson and Wilson R. Johnson, the infant defendants in this cause. The decree aforesaid directed to be paid to the said Mattie S. Johnson the sum of \$360.00; but as your commissioner could not collect such a sum, except from the said Mattie S. Johnson, from the principal on the bond due by her, and fully set forth in the pleadings in this cause, he recommends that the difference, which is \$4.44 be directed to be credited upon said bond.

The fund in the Farmers Bank of Nansemond is now entirely exhausted, and future allowances will have to be made to the said Mattie S. Johnson from the interest and principal

of said bond.

It is recommended that the allowance to the said Mattie S. Johnson be continued, as her financial condition is unchanged save to the increasing cost of expenses of living, making the burden upon her heavier.

Her receipt for the sum of \$355.56 is filed herewith.

William J. Lamm
Special Commissioner.

I hereby acknowledge receipt of the sum of three hundred and fifty five dollars and fifty six cents from Milton Johnson, Special Commissioner, for the education, maintenance and support of Myrtie C. Johnson and Wilson R. Johnson, from June 30th. 1923 to June 30th. 1924.

L Mattie Johnson -

—16—
Virginia: Circuit Court of
Isle of Wight County.

Johnson's Guardian

v) Chancery. No. 379.

Johnson's Infants et als.

Report of special commiss-
ioner.

Filed Jan 5 " 1925.

JOHNSON AND STEPHENS
ATTORNEYS AT LAW
ISLE OF WIGHT C. H., VA.

The Linden Printing Company, Hartford, Connecticut, U.S.A.