

1896-1A

Southampton County - Chancery

Gallings, Adeline Henry Lee vs Laine, Matilda A
et al

Is sell land and
proceeds to be paid
to Complainant or to his
guardian

Nicholson Mary J. in
her own right and as
guardian for

Gallings, M. A. +

Gallings, A. H. L.

Laine, George F.

W.S. Halladay

Rollings per f.d. et. al.

vs.

Lain et. al.

Bill in Chancery

1891 / 1st March

W.S. Halladay

Everett Wadley Co., Stationers and Printers, Richmond, Va.

THIS WRAPPER—Plain,

Printed,

PROFESSIONAL CARDS.
each additional 100.

40 cents per 100.

50 " " 100.

50 cents additional for first 100 and 10 cents additional for

To the Hon.C.W.Hill, judge of the Circuit Court of Southampton
County, Virginia:

Adieus Henry Lee Rollings an infant under the age of 21 years by
Mary J.Nickolson his mother and next friend, and Mary J.Nickolson
widow of John H.Rollings deceased, and Mary J.Nickolson who was Roll
ings as administratrix of the estate of her said husband John H.
Rollings and as guardian of M.A.and A.H.L.Rollings and Mary J.
Nicholson in her own right: Plaintiffs.
Vs.

Mattie A.Lain who was Rollings and George F.Lain her husband,
Defendants.

The said plaintiffs, your orators, respectfully repre-
sent that on or about September 27th, 1877 John H.Rollings died
intestate seized and possessed of a very small personal estate and
a tract of land now containing 145 1/2 acres adjacent the lands of
Mr. and Mrs. John I.Turner and the lands of Mrs. Fannie Little
lying and being in the county of Southampton in the state of Vir-
ginia, and leaving him surviving your oratrix MaryJ. his widow and
two children, to wit: said Mattie A. and Adieus H.L.Rollings, the
former now being the wife of said George F.Lain as his only heirs
at law, these children being the issue of the intermarriage of
said John H.Rollings with your oratrix Mary J.

Your orators say that said Mary J.Nicholson, who
was Rollings, qualified as administratrix of said estate soon after
the death of her said husband, administered the same and upon a
settlement of her affairs there was and still is a balance due her
of two hundred and three (\$203) dollars and sixty three (63) cents
as shown by the report of commissioner James R.Tyler and that the
said balance is still due and unpaid and that she is entitled to
interest thereon from Dec.31st, 1879 till payment:

Your orators say that said Mary J. Nicholson who was Rollings also became guardian for said two children and expended a large amount on them, especially on the daughter, the said Mattie and that said Mattie is still indebted to her in a large sum, to wit, the sum of five hundred dollars:

Your orators say that said Mary J. during her widowhood and since that time has very greatly improved said tract of land in the way of fencing, buildings, ditches and the improvement of the same and in said repairs, expenditures and improvements she laid out and expended of her own money a very large sum, to wit, the sum of one thousand dollars, and that by reason of said improvements &c. the said tract of land is now far more valuable than it otherwise would be, to the extent of said expenditures, and your orators are advised that said Mary J. is entitled to be reimbursed for said improvements made on said land as aforesaid.

Your orators say that Mary J. Nicholson, who was Rollings is entitled to a dower in said tract of land and is entitled to the debt due her by her husbands estate and is entitled to be reimbursed for said improvements on said land and that subject to said debts and dower the said tract of land belongs to said Mattie A. Lain and Adieus Henry Lee Rollings, one moiety to each, as the only heirs at law of said John H. Rollings: Your orators say that said tract of land is not susceptible of partition in kind, but that it is to the interest of said Adieus Henry Lee Rollings to sell the same; they say that said Adieus H. L. Rollings is entitled to have said land divided if it can be done and if not, sold, and his share of the proceeds of sale be paid to him or to his guardian and the share of said Mattie A. Lain be paid to her: The said Mattie A. Lain would be the only heir at law of said Adieus H. L. Rollings were he

And whereas your orators are remediless save in this honorable court where such matters are alone and properly cognizable they pray that said Mattie A. Lain and George F. Lain her husband be made parties defendants to this bill and required to answer the same, an answer on oath is hereby waived as provided by statute, that the dower of your orator Mary J. Nicholson, who was Rollings the widow of said John H. Rollings deceased be assigned her by metes and bounds, that the debts of the estate of said John H. Rollings be paid and satisfied, that said Mary J. Nicholson be paid and reimbursed for any and all expenditures in the way of improvements on said land, that said tract of land be sold subject to said dower, and after paying debts proceeds of sale be divided between and amongst said Mattie A. and Adieus Henry Lee Rollings that all necessary and proper enquiries and accounts be ordered and directed, that counsel conducting this suit be allowed a reasonable fee for his services in prosecuting this suit, and that all such other and further general relief be afforded your orators as to equity and good conscience may seem meet. And thay will ever pray &c.

W. S. Hall and p. q.

Rollings, by H. & al;

3
2" 3 Sum

Lain & Co.

1891. 1" Rich Rules

lev: let:

Executed by delivering
a copy of this 'Sum' to each
of the within named
parties

A. H. Cobb dep

Feb 23^d/91 for J. Williams
Chff

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Mattie A. Laine* - who was
Rollings - and *Geo. A. Laine*, her husband.

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the *1st* Monday in *March 1891* next, to answer a Bill in Chancery exhibited against *them* in our said Court by *Adicene Henry Lee Rollings*, an infant under the age of 21 years - by *Mary J. Nicholson*, his mother and next friend. and *Mary J. Nicholson*, widow of *John A. Rollings*, dec'd. and *Mary J. Nicholson*, who was *Rollings*, an Administrator of the Estate of said husband. *John A. Rollings* and as Guardian of *M. A. & A. S. L. Rollings* - and *Mary J. Nicholson*, in her own right.

And this *they* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *5th* day of
February, 1891, in the 11th year of the Commonwealth.

B. F. McLemore

C. C.

Rolling ¹⁶⁴ by J. et al
Stat: Ruler
Laine J.

1 inch

Adversus Henry Lee Rollings.
 an infant under the age of
 21 years. by Mary J. Nicholson
 his mother and next friend. and
 Mary J. Nicholson widow of John St.
 Rollings, dec'd. and Mary J. Nicholson
 who was Rollings. as Administratrix
 of the estate of said husband - John St.
 Rollings. and as Guardian of
 M. A. & A. H. L. Rollings - and Mary
 J. Nicholson in her own right. *Plffs*
 against

Mattie A. Laine, who was Rollings.
 and Geo. F. Laine. her husband. *Defts.*

1891. Feb. 5. Process if? to 1st Mich Rules.

" 1st Mich Rules: Process Executed. Bill & Ex:
 filed. deere nisi

" 2^d " " Bill taken for Confessed
 and cause set for
 hearing.

Rollings by R. 1st
Vs. } Statement of Costs
Lgine R.

Rollings by &c. itals

H. } Statement of costs

Laine &c.

Sum. 25. 2 copies 26, receipt 18, atty. 10, Book, 18 =	1.97	
Rule 50. entering return 35, fil. bill 15. Rule 50 =	1.50	
9 Continuations 2.25 Deam & copy 22, Law Cook 40 =	3.37	
Filing away the papers 25		25
R. F. McLemore 3.47		6 Lark \$6.09
J. M. Howard 1.00		Shff. 1.00
L. A. Gay 1.62		Law &c. 16.50
<u>\$6.07</u>		<u>\$23.59</u>

Rollings

21

Lane

Deane

25 March 1896

Deane

To be entered
Robert J. Deane.

Entered

Page 72

Hollings

21

Loan

On motion of the complainant
it is ordered that this suit be dismissed
from the docket with leave to any
party in interest to reinstate the same
for good cause within one year

17
13
11
10
9
8
7
6
5
4
3
2
1