

1869-015

Tale of Wight Co.

Chancery Causes; Josiah H. Underwood + wife vs John B. Saunders + wife etc

Pierce

Archer

To the Worshipful County Court of Isle of Wight County,
in chancery sitting; Humbly complaining, sheweth
to the court your complainants, Josiah H Underwood
& M. J. his wife, that on the day of 1867
one John Underwood the father of your said
complainant Josiah H Underwood departed this
life in the County of Isle of Wight, intestate.

That at the time of his death the said
John Underwood was seized & possessed in
fee simple of a tract of land in said County,
containing by estimation 375 acres more or
less, lying on the Black Water road adjacent
to the lands of Nathaniel P Johnson and
M. S. Watkins. That said intestate left no
widow, & that said land descended in
coparcenary upon his four children as his
heirs at law, to wit: your complainant Josiah -
H Underwood & Martha E Saunders late
Underwood who has intermarried with John
B Saunders, Edy Pierce late Underwood who
has intermarried with Arthur S Pierce, &
Mary F Archer late Underwood who has
intermarried with Hilliard H Archer.

That your complainant is informed, & so
charges, that the said heirs at law are
entitled to have partition of said land in
equal portions having regard to quantity &
quality if such partition can be conveniently
had or if not that the whole of said land

or a portion thereof may be allotted to any party who will pay for the same or the residue or the whole subject may be sold & the proceeds divided among the parties according to their rights. In tender consideration whereof, & for as much as your complainants are without remedy at law, & can only be relieved by the aid of this worshipping court of chancery, where matters of this sort are cognizable; to this end your complainants pray that the said John B Saunders and Martha Co - his wife, Arthur S Pierce and Edy his wife, Williard H. Archer & Mary F his wife may be made parties defendant to this bill, & be required to answer the same, and that by a decree of this worshipping court commissioners may be appointed to make partition of said land among the said heirs at law of said intestate, or if such partition can not be conveniently had that allotment of part & sale of residue or the sale of the whole subject may be made, & that such other & farther relief may be granted as may consist with the equity of the case, & to the court may seem meet & your complainants will ever pray &c -

Hayden

p. 9

(Underwood snipe)

no. 3 Bill &c

Saunders & Wife Jan.

1868.

~~Dec.~~ Rules - Bill &c. filed
& decreed nisi.

Jan. Rules 1869 -
Bill taken for confessed
tax for hunting.

Feb. 1. 1869. Dismissed

Understand the wife

as

Samuel's wife late -

On motion of the Plaintiff it is
ordered that this suit be dismissed, the costs to be
mutually borne of each party -

Andersson & Sjöström

Såsom den Skriftställaren

Ordern af Fekten 1869

7. be intressat -

H. B. Sjöström

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY, Greeting :

WE COMMAND YOU TO SUMMON *John B. Saunders & Martha E.*
his wife, late Underwood; Arthur S. Peera & Eddy his
wife, late Underwood; and Willard H. Arnsfort Mary
his wife, late Underwood,

to appear at the Clerk's Office of the *County* Court of Isle of Wight County, at

Rules to be holden for the said Court, on the first Monday in *December* next,

to answer *the Bill in chancery of Josiah H. Underwood*
and M. J. his wife

a plea of *non est* *for \$* *non est* *Damages, \$* *non est* And have then

there this writ. Witness, N. P. YOUNG, Clerk of our said County Court, at the Court-

house, the *15th* day of *October* 1868, in the *73^d* year of
the Commonwealth.

N. P. Young

Executed by delivering a true copy
of the within to John B Saunders
Arthur S Purce and Hilliard Archer
on the 3rd Novr 1868

Wiley E Powell Esq
for E. S. Eley Shff

James B. Underwood Esq

at
W. E. E. Esq

John B. Saunders Esq
for.

W. E. E. Esq. 1868.

do. do.

W. E. E. Esq.