1892-014 Chancery Causes. Charles Tynes v d v s Jennie Tynes v d
Isle of Wight County

other surnames. Wellens, Winfree

Know all Men by these Presents, That we J Henning Nelms and George T. Nelms are held and firmly bound unto the Commonwealth of Virginia in the sum of one hundred and fifty dollars to the payment whereof, well and truly to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this 5th day of June in the year of our Lord, one thousand eight hundred and Eighty two. And we waive the benefit of homestead as to this debt

The Condition of the above Obligation is Such, That whereas, by a Decree of the Circuit Court of Isle of Wight County, pronounced on the 20th day of April 1882 in a cause depending in the said Court, in which Charles Tynes et als are Plaintiff, and Jenny Tynes et als are Defendant, the above bound J Henning Nelms was appointed a special Commissioner to sell the lands in the proceedings mentioned where of Jenny Tynes died seized and possessed, and make report &c.

Now, if the above bound J Henning Nelms shall faithfully discharge his duties as Commissioner under the said Decree, or any future Decree in said cause, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered in the presence of }

J Henning Nelms (SEAL.)
George T. Nelms (SEAL.)
(SEAL.)

Phillips & Carter, Printers.

In the Clerks office of the Circuit Court of Isle of wight County the 5th day of June 1882, This bond was executed by J Henning Nelms with George T. Nelms his surety, who justified and admitted to record Teste

W.B. Young clk.

Haynes et als

vs Comrs Bond

Haynes et als

A Copy

In the Circuit Court of Isle of Wight County, Octo. 22d., 1883.

Chas. Eyres et als. Pltffs.

vs. } In Chancery.

Jennie Eyres et als. Defts.

This Cause came on this day to be again heard on the papers formerly read and on the report of Collection by J. Henning Helms, Special Commissioner, to which there was no exception filed, and it appearing by said report that all of the purchase-money for the land sold by the said Comr. in these proceedings, has been paid, the Cause was argued by Counsel: On consideration whereof, the Court confirming said report, doth adjudge, order and decree, that J. Henning Helms, Special Commissioner in this suit, make and deliver a good and sufficient deed with special warranty, for the lands in these proceedings mentioned, and sold to W. S. Drummond, or to such person or persons as he may direct, testified to by his becoming a party to said deed.

And the Court doth further adjudge, order and decree that the said J. Henning Helms, Special Commissioner, out of the $139.10 now in his hands, to the credit of

of this suit, as shown by his report of Oct. 8th 83, pay, first, the unpaid costs of this suit, if any, and the remainder he shall divide into four equal parts; one of which he shall divide equally between the six children of Betsy Lynes, viz: Chas. Lynes, Henry Lynes, Richard Lynes, Geo. Lynes, Rachel Lynes & Elizabeth Lynes. One of said parts he shall divide equally between the four children of Nancy Lynes, viz: Robert Lynes, Randall Lynes, Helen Lynes & Rosella Lynes. One of said parts he shall divide equally between the three children of Mary Lynes, viz: Thos. Lynes, Joe. Lynes & Cornelius Lynes, and the remaining part he shall pay to Jennie Lynes. But if he should be unable to find any of said parties, then he shall deposit their share as above described & ascertained in the Farmers & Mechanics Savings Bank, in Smithfield, Va. to the credit of such party, taking therefor the Cashier's certificate for such deposit, which he shall return with his report to Court: And whatever he may do under this decree, he is required to report the same to this Court.

A Copy. Teste. S. D. Young clk

Clerks fees since Apl. 1857, when the
costs were taxed on decree for sale,
$4.00

Figure 5

n. 3 escuta

Figure 6.

Acta. Ct. 1883

Tynes Chas. et als
vs. } In Chancery
Tynes Jennie et als

In the Circuit Court of Isle of Wight County

This cause came on this day to be again heard on the papers formerly read, and on the report of collection by J. Fleming Nelms Special Commissioner, to which there were no exceptions filed, and it appearing by said report that all of the purchase money for the land sold by the said Comr. in these proceedings, has been paid; the cause was argued by counsel; on consideration of which the court confirming said report doth adjudge order and decree that J. Fleming Nelms Special Commissioner in this suit make and deliver a good and sufficient deed with special warranty for the lands in these proceedings mentioned and sold, to W. T. Drummond or to such

person or persons as he may direct, testified to by his becoming a party to said deed.

And the Court doth further adjudge order and decree that the said J. Hunning Nelms Special Commissioner out of the $139.10 now in his hands to the credit of this suit, as shown by his report of Oct. 8th 83, pay first the unpaid costs of this suit if any, and the remainder he shall divide into four equal parts, one of which he shall divide equally between the six children of Betsey Tynes, viz: Chas. Tynes, Henry Tynes, Richard Tynes, Geo. Tynes, Rachel Tynes & Elizabeth Tynes:— One of said parts he shall divide equally between the four children of Nancy Tynes, viz: Robt. Tynes, Daniel Tynes, Archer Tynes, & Rosella Tynes:— one of said parts he shall divide equally between the three children of Mary Tynes viz: Thos. Tynes, Joe Tynes, & Cornelius Tynes:— And the remaining part he shall pay to Jennie Tynes.

But if he should be unable to find any of said parties, then he shall deposit their shares as above described & ascertained in the Farmers & Merchants Savings Bank of Smithfield Va. to the credit of such party, taking therefor the cashiers certificate for such deposit which he shall return with his report to court; and whatever he may do under this decree he is required to report the same to this court.

Tynes et als
vs. } Du Chouquy
Tynes et als

Rough Decree
Oct. Term 1883
To be entered

Geo. Shea.

Entered 13.

In the Circuit Court of Isle of Wight County Virginia:

Tynes Chas. et als
vs
Tynes Jennie et als

This cause come on this day to be again heard on the papers formerly read, ~~on the 2nd day of April 1892 of this court~~ in this cause and the report of J. Hemming Atkins Special Commissioner, filed, to which no exceptions are ~~filed~~ taken, and was argued by counsel, on consideration whereof the court doth further adjudge order & decree that ~~said report be confirmed~~, that the said J. Hemming Atkins Special Commissioner as aforesaid proceed to collect the bonds in his report mentioned when they shall respectively become due & payable & deposit the money so collected, after deducting a fee of $20.00 for his services in conducting this suit, in the Farmers & Merchants Savings Bank of Smithfield Virginia to the credit of this suit. And to do whatever he may do under this decree to report the same to this Court.

Tynes Chas et als
vs } In Chancy.
Tynes Jamie et als

Rough Decree
Oct. Term 1882
To be entered

T. S. Flood.

Entered No-2

In the Circuit Court of Isle of Wight County:
Tynes Chas. et als
vs. & In Chancery
Tynes Jennie et als

This cause come on this day to be again heard on the papers formerly read and on report of commissioners, A.B. Whitehead, R.T. McGuire and Geo. K. Nelms filed, to which no exceptions are taken; ~~and~~ was argued by Counsel, on consideration whereof the court doth adjudge order and decree that J. Fleming Nelms who is hereby appointed a Special Commissioner for that purpose proceed to sell the real estate in these proceedings mentioned at public auction at Isle of Wight Court House after giving thirty days notice ~~by advertisement~~ of the time and place of sale by advertisement in the Smithfield News (a newspaper published in Smithfield Isle of Wight County Virginia), once a week for four successive weeks; ~~upon~~ the ~~said~~ land to be sold on a credit of six and twelve months

of equal payments except so much for each as shall be necessary to defray expenses of ~~suit and~~ sale, ~~and~~ ~~expenses~~ costs of this suit ~~including a fee of $ to J Hemming Atlee for conducting this sale~~; taking from the purchaser bonds with approved security, with waiver of homestead, for the deferred payments and retaining title to said land until the purchase money shall be paid in full, and make report of his proceedings under this decree to court, but the execution of this decree is suspended until the said J Hemming Atlee comr. shall enter into bond with sufficient security before the clerk of this court, for $15-00 conditioned to faithfully perform this or any other decree herein.

Tynes Chas. et als
vs. } Du Chauncy
Tynes Jennie et als

Rough Decree
April term 1882
To be entered

Geo. Bliss

Entered 48

In the Circuit Court of Isle of Wight
County. April Term 1852.
Edwds. Tynes

In Chancery
Junius Tynes

This cause came on this day to be heard on the Papers formerly read and on report of Commissioner R. H. Whitehead R. F. Maguire and Geo. W. Tynes filed to which no exceptions are taken, and was argued by Counsel on consideration whereof the Court doth adjudge and decree that L. Fleming Tynes who is hereby appointed a special Commissioner for that purpose proceed to sell the Real estate in these proceedings mentioned at Public auction at Isle of Wight Court House after giving thirty days notice of the time and place of sale by advertisement in the Smithfield Herald a newspaper published in Smithfield, Isle of Wight County, once a week for four successive weeks. The said land to be sold on a credit of six and twelve months of equal payments except so much for cash as shall be necessary

to defray expenses of sale, and costs of this suit taking from the purchaser bond with approved security with praier of homestead. to the deferred payments and retaining title to said land until the purchase money shall be paid in full, and make report of his proceedings under this decree to Court but the execution of this decree is suspended until the said L. Fenning Tuttle shall enter bond with sufficient security before the Clerk of this Court for $ 350.00 conditioned to faithfully perform this & any other decree herein.

A copy. Teste, S.D. Young clk

Lyons Adms.
vs.
Lyons Jennie.

Decree for sale.
Apr. Term, 1882.

Costs Taxed

Costs to Apl. 1882.
Atto. fee & Exp. . 16.50
Clk. fee . . . 6.52
Publns. order 5.00
$ 28.04

In the Circuit Court of Isle of Wight County, April Term 1882.

Charles Tynes

Pltff.

vs. } In chcy

Jennie Tynes

Defts.

This cause came on this day to be heard on the complainants bill of complaint, Summons vs. defendants, affidavit for order of publication, order of publication & Editors Certificate of said order having been properly published & exhibits filed, with general replication thereto, and was argued by counsel on consideration whereof the Court doth adjudge, order and decree that Geo. T. Helms, J. A. Whitehead, M. F. Jordan, A. N. McInnis & C. A. Morrison, who are hereby appointed comrs. for that purpose any three of whom may act, after first being duly sworn according to law, proceed to lay off and divide the real estate

mentioned in the complainants bill of complaint filed in this cause, having regard to quantity and quality into four parts of equal value, and that they assign one of said parts in common to the children of said Betsy Fynes namely. Charles Fynes. Rachael Fynes. Henry Fynes Richard Fynes. Lizzie Fynes. and Lizzie Fynes; one of said parts in common to the children of the said Nancy Fynes viz. Archie Fynes, Robt. Fynes. Randall Fynes and Rosetta Fynes, and one said parts in common to the children of the said Mary Fynes viz. Thomas Fynes. Cornelius Fynes, and Joe Fynes, and that the remaining part be assigned by the said comms. to the said Jennie Fynes. But if the said comms. should find it impossible to divide the said land amongst the parties aforesaid or should be of opinion that the interests of the said parties would be promoted by a sale of the said

lands, then in such case they are required to report the facts on which their opinion is based to this Court, and in either case they are required to report their proceedings under this order to this Court.

A copy.

Teste. S. D. Young Clk

Chas Tynne et als

vs 3/2 In Chancery

Jimie Tynne et als

Decree for division of
Land &c

Charles Tynes et als
vs. } In Chancery
Jennie Tynes et als

This cause come on this day to be heard on the complainants bill of complaint, summons vs. defendents, affidavit for order of publication, order of publication & Editors certificate of said order having been properly published and exhibits filed, with general replication thereto, and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that Geo. K. Nelms & R. Whitehead, M. F. Jordon, R. A. McGinn and C. A. Morrison who are hereby appointed commissioners for that purpose, any three of whom may act, after first being duly sworn according to law proceed to lay off and divide the real estate mentioned in the complainants bill of complaint filed in this cause, having regard to quantity & quality into four equal parts of equal value and that they assign one of said parts, in common to the children of the said Betsey Tynes viz: Charlie Tynes, Rachel Tynes Henry Tynes, Richard Tynes Georgia Tynes & Lizzie Tynes, one of said parts, in common to the children of the said Nancy Tynes, viz: Archie Tynes, Todd Tynes, Randall Tynes & Rosella Tynes

and one of said parts in common to the children of the said Mary Tynes, viz: Thomas Tynes, Cornelius Tynes & Jos Tynes; and that the remaining part be assigned by the said commissioners to the said Jamie Tynes.

But if the said commissioners should find it impossible to divide the said land amongst the parties aforesaid, or should be of opinion that the interest of the said parties would be promoted by a sale of the said land then in such case they are required to report the facts on which their opinions is based to this court, and in either case they are required to report their proceedings under this order to this court.

Chas. Tynes et als
vs
Jno Clay.
Jamie Tynes et als

Bought Deeds
Affidavits Laws &c
to be entered

Exhibits

Rec'd Dec 22nd 83 of J.S. Nelms Spec.
Comr. in suit of Tynes et als vs
Tynes et als $11.69 my shre in
the distribution of said suit.

Thos + Tynes
his
mark

Witness W.J. Nelms

Rec'd. Dec 22nd 1883 of J.S. Nelms
Spec Comr. in suit of Tynes et als
vs Tynes et als $6.55/100 my shre in
distribution in said suit.

Henry + Tynes
his
mark

Witness. W.J. Nelms

Rec'd. Feby 9th 1884 of J.S. Nelms
special Comr. in suit of Tynes
et als vs. Tynes et als $5.55/100 Rachel
Tynes' shrd in distribution in
said suit.

Aaron + Winfree
his
mark
Committee of Rachel

witness
E. M. Morrison

Recibo. — —

Lyon
[illegible] Calculation showing Clerk Hire
Expenses Distributes
[illegible] U.S. House
For drawing Certificate $ 6.00
Which being added to Amt $139.10
leaves a balance of $133.16
which is divided by Six
Deputy Marshals, making each share
$33.27, there being which paid to the several
among the Deputies employed Viz
Lyon, Clark, Henry, Richard,
Young, Rachel, Elizabeth, making
each share, $5.55,
Leaves $33.27, to be divided among the
four Deputies employed Viz Robert
Randall (or Berry) Archer, Keith
making each share $8.32, [illegible] $33.27
to be divided between the Deputies
May Lyon Viz Johnson, Joe Cornelius
making each share, $11.09, Newman
$33.27 to Lyon, Lyon,

Office of

J. H. & W. J. Helms,

Attorneys at Law.

COURTS:
Isle of Wight and Surry Counties
and Newport News.

Smithfield, Va., ... 188

5

5 26

Came Down to dinner
I. H. H.

Rec'd June 6th 82 of J. Hemmy Nelms special Comr.
in suit of Tynes et als vs. Tynes et als one dollar
& 50 cents as Comissioner to report for sale or
partition

A. R. Whitehead
Comm-

A R Whitehead's
Contract for $1.00

Rec'd June 7th 82 of J. N. Helms
Special Comr. in the suit of Tynes
et als vs. Tynes et als $6.00
for selling land known as "Judith
Pitts" at public auction.

L. D. Edwards

Land known as Judith Hills
Containing 10 acres more or less, cov-
ered with second growth pine timber,
& adjoining the lands of Geo. D. Wilcox
John Lyons & others, 2½ miles from
Smithfield.

Terms - Enough cash to pay costs
of suit & sale (about $35.00 ±) bal-
ance two equal bonds for 6 & 12 mos.
with interest, good personal
security & title retained until last
payment made.

J. W. Wilcox

K. F. Dunn

$200.00

L. D. Evans

$28.04
4.00
6.00
8.00
$46.04

200.00
46.04
160.96
80.48

for ca...
...ited in every State ...
Union.

EDISON MUSIC CO.
215 & 217 Walnut Street, Philada. Pa,
sep28-4t

VIRGINIA—At rules held in the Clerk's office of the Circuit Court of Isle of Wight county, the 7th day of September, 1881.

Charles Tynes, Henry Tynes, Rachel Tynes, Archer Tynes, Robert Tynes, Randall Tynes and Thomas Tynes—Plaintiffs.

vs. In Chancery.

Jennie Tynes, Cornelius Tynes, Joe Tynes Rosetta Tynes, Richard Tynes, George Tynes and Lizzie Tynes—Defendants.

The object of this suit is to effect a sale of the land whereof Judith Tynes died seized and possessed, and to divide the proceeds thereof amongst the plaintiffs and defendants as her heirs at law, and affidavit having been made and filed that diligence has been used on behalf of the plaintiffs to ascertain in what county or corporation the defendants are, without effect, it is ordered that the said defendants do appear here within one month after due publication of this order, and do what may be necessary to protect their interests, and that a copy of this order be published once a week for four successive weeks in some newspaper published in this State.

A copy—Teste:

N. P. YOUNG, Clerk.

J H Nelms, p q.

Virginia,

At Rules held in the Clerk's office of the circuit court of Isle of Wight county, the 4th day of September 1881.

Charles Tynes, Nancy Tynes, Rachal Tynes, Archer Tynes, Robert Tynes, Randall Tynes & Thomas Tynes. Pltfs.

v. In Chancery.

Jennie Tynes, Cornelius Tynes, Joe Tynes, Rosetta Tynes, Richard Tynes, George Tynes & Lizzie Tynes. Defts.

The object of this suit is to effect a sale of the land whereof Judith Tynes died seized and possessed, and to divide the proceeds thereof amongst the plaintiffs & defendants as her heirs at law. And affidavit having been made and filed, that due diligence has been made on behalf of the plaintiffs to ascertain in what county or corporation the defendants are, without effect; it is ordered that the said defendants do appear here within one month after due publication of this order, and do what may be necessary to protect their interests. And that a copy of this order be published in some newspaper published in this State four weeks successively. Once a week for four weeks.

A Copy, Teste, J. D. Young Clk

Tynes dec'd.

v. 3 In Chy.

Tynes dec'd.

Ord. of Publcn,

Tilden Supt. Rec. 1881.

I Ed. D. Phillips the editor and
one of the proprietors of the Smithfield
News a newspaper printed in the town
of Smithfield, County of Isle of Wight
State of Virginia do hereby certify
that the foregoing order of publication
hereto attached, was duly published in said
newspaper for four successive weeks from
and after the 14th day of September 1882 A.D.

Ed. D. Phillips

Editors Certificate of
publishing ordinance
publication in
Tyrnes vs. Tyrnes

In the Circuit Court for Isle of Wight County Virginia.

Tynes, Charles et als
vs
In Chancery
Tynes, Jennie et als

To The Hon. Geo Blow Judge of said court:

Your commissioner Hemming Nelms appointed under a decree of your Honor's court entered at the April Term 1882, in the above suit, a special commissioner to sell the land in these proceedings mentioned begs leave to report that on the 6th day of June 1882, after having first advertised the time & place, he exposed the said land to sale at public auction at Isle of Wight Court House and that at said sale one W. T. Drummond was the highest bidder & the said land was knocked out to him for the sum of two hundred dollars ~~four~~ of which sum, the sum of $39.14 I received cash & for the balance of said purchase money I took the purchaser's bond with H. J. Drummond as surety, payable one half or $80.43 six months from the

date of said sale, and the other with a like sum of $80 3/100 payable twelve months from the date of said sale both bearing interest from the 6th day of June 1882, the date of the sale aforesaid.

And your commissioner further reports that out of the sum of $39.14 collected as stated he paid to Comrs. of Partition $2.00
to Prop: Smithfield News for ord. of pub. & advertising 8.10
& costs taxed by Clerk 28.04
$39.14 $39.14

Filed Sept. 20 1883

Richard H. Hennessy
Attorney for Comr.

Thos Charles et al
vs
Chas Cox et
Thos Jones et al

1883

Charles Tyrrell et als. (J. H. Nelms cond. to Jno.)

Octo.

To Clerk Cir. Ct. Isle of Wight County - - 05

Filing action Sept. 15, Summons 10

Copies 2 sections 10 cts 40. Extended

for comm. for blanks &c to end in-

cluding Seal Summons 20 $3.65

J. D. Young Clk

James Cha
tal.
A. Mills &
Bay. $23.65

I fix all costs taxed
before making distribution
& now have no funds to
pay out of

Tynes Chas. et als
vs
Tynes Jennie et als
In the Circuit Court of Isle of Wight County

To the Hon. Geo. Bland Judge of said Court.

Your, condersigned Commissioner, appointed by decree herein of April Term 1882, begs leave to further report that acting under authority given him by a subsequent decree herein entered at the Oct. Term 1882, he proceeded to collected the two bonds of W.J. & H.J. Drummond for $80.43 each when the same became due and payable with the interest due thereon. That he now has in hand to the credit of this suit the sum of one hundred and thirty-nine 10/100 dollars of which $125.86 is principal and $13.24 is interest, as shown by the following Statement.

1882		
June 6	To cash payment this day	39.14
Dec. 6	" 1st bond of W.J. & H.J. Drummond	80.43
1883		
June 6.	" 2nd " " "	80.43
Oct 25	" interest on $160.86 from June 6th 82	
	to date	13.24
		$213.24

Ant. Ford

over

To amt forded. 21.3.24

1882			
June 6	By amt. pd as per. last report		39.14
" 7	" " pd L.B. Edwards amt.		5.00
	" Comrs. on sale of land		10.00
1883	" fee allowed by Court		20.00
Oct 20	To bal due this suit	139.10	
		$213.24	$213.24

Upon the request of H.J. Drummond who was security on the bond of W.T. Drummond, the purchaser, your commissioner also reports that the cash payment of $39.14 & both of the bonds of $80.43 each were paid by the said H.J. Drummond. Given under my hand this 8th day of October 1883

J Fleming Nelms
Special Comr.

Tynes et als

vs.

Tynes et als

Report of Attorney Nelms Spec. Comr. of collection of purchasers bonds.

Filed Oct. 22. 83.

Tynes Cld. et als
vs
Tynes Lemuel et als

To the Hon. Lindsay Judge of the Circuit Court of Caddo and Chacahoula for Iberville Parish.

Whereas by a decree of the said court rendered on the at the April term 1882 The undersigned were appointed commissioners to make partition of the land known as the Jarvis tract bounded by the lands of John Tynes and others, we therefore beg leave to report that after being duly sworn we went upon the said tract or parcel of land and find that it only contains about six acres, that it is in an entirely unimproved state and that it is worth about the sum of $75.00, that none of the said parties are willing to take it at the price named and that by reason of the small quantity of land and the large number of persons interested therein the said tract or parcel of land is not susceptible of division, but that your commissioners are of opinion that it is to the interest of all persons concerned that the said tract or parcel of land should be sold and the proceeds of such sale be divided among the parties entitled thereto. Witness our

hands this 20th day of April 1882

A. K. Whitehead

R. N. McGuire,

Sec. K. Lines

Tynes et ux
vs. } Inn Chouteau
Tynes et al

Filed April 20th 1882

Virginia; Isle of wight County, To wit:

On this 4th day of September 1881 before me, N. P. Young Clerk of the circuit court of Isle of Wight County personally appeared J. H. Tellers attorney for Chas. Tynes, Henry Tynes et als. complainants in a chancery suit pending in said Court vs. Jennie Tynes, Cornelius Tynes, Joe Tynes, Rosella Tynes, Richard Tynes, George Tynes & Lizzie Tynes & made oath that ~~the said~~ due diligence has been used on behalf of the plaintiffs to ascertain in what county or corporation the defendants are without effect.

J. H. Tellers attorney for pltffs

Subscribed & ~~sworn~~ to before me the day & year aforesaid by the said J. H. Tellers.

N. P. Young clk

Tynes Charleston.

vs. } Indict.

Tynes Jimmy Col.

Affidavit for ord.
of publication

Filed 1st Sept. 1881.

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON Jennie Tynes, Cornelius Tynes, Jas Tynes, Rosetta Tynes, Richard Tynes, George Tynes & Lizzie Tynes

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in October next to answer the Bill in Chancery of Charles Tynes & Hannah Tynes of Isle of Wight county and Rachel Tynes, Archie Tynes, Robert Tynes, Randall Tynes & Thomas Tynes of Nansemond county &c

~~of a plea of for $ Damages $~~ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the 17th day of September 1884, in the 108th year of the Commonwealth.

N. P. Young Clk.

The Defendants are not found in my County
Sept. 18th 1881,
L B Edwards
Sheff

Wm. Sykes et als.
vs.
Jesse Sykes et als.

Chancery Sale.
Sept. 1881.
Adams Sol.

To the Honorable Geo. Blow, judge of the circuit court of law and chancery for the county of Isle of Wight, in chancery sitting:

Your complainants, Charles Tynes, & Henry Tynes of the County of Isle of Wight State of Virginia, and Racheal Tynes, Archer Tynes, Robert Tynes, Randall Tynes and Thomas Tynes of the county of Nansemond, State of Virginia, humbly complaining sheweth to the Court:

That on or about the 3 day of May 1865- Your complainants' grand mother Judith Tynes departed this life intestate seized in fee of a certain tract or parcel of land lying and being in the county of Isle of Wight State of Virginia, known as the "Judith Kitt" tract, containing by estimation six acres more or less and bounded by the north by the lands John Tynes, on the east and south by the lands of Geo. T. Atkins and on the west by the lands of Corsan Cofer.

That the said Judith Tynes left her surviving as her sole heirs at law four children, viz: Betsey

Tynes, Nancy Tynes, Mary Tynes and Jennie Tynes.

That on or about the 2. day of July 1864 A.D. the said Betsy Tynes departed this life intestate seised in fee of her share of the said Tract of land and leaving her surviving as her sole heirs at Law, six Children viz: your complainants Charles Tynes, Rachel Tynes, ~~Lizzie Tynes~~ Lizzie Tynes, Henry Tynes, George Tynes, and Richard Tynes.

That on or about the 10 day of August 1866 A.D. the said Nancy Tynes departed this life intestate seised in fee of her share of the said Tract of land and leaving her surviving as her sole heirs at Law four Children viz.: your complainants Archer Tynes, Robert Tynes, Randall Tynes, and one Florella Tynes.

That on or about the 20th day of Dec 1868 A.D. the said Mary Tynes departed this life intestate seised in fee of her share of the said tract of land leaving her surviving as her said heirs at law three children, viz: your complainant Thomas Tynes, and Cornelius Tynes & Joe Tynes.

That although your complain

ants have made diligent and frequent inquiry they do not now know, nor can they learn as to the whereabouts of the said Jennie Tynes, Cornelius Tynes, Joe Tynes, Rosetta Tynes, Richard Tynes, George Tynes, Lizzie Tynes, nor either of them; but that they are informed that and so chow that they and all of them are non-residents of this commonwealth of Virginia.

That by reason of the said tract of land being so small and its yielding to income whatever, and the parties interested being so numerous, the interest of all parties interested would be enhanced by a sale of the said tract of land it not being susceptible of division.

In tender consideration whereof and for asmuch as your complainants are without remedy at law and can only be relieved by the aid of this honorable court of chancery where matters of this sort are proper and alone cognizable, your complainants pray that the said Jennie Tynes, Cornelius Tynes, Joe Tynes, Rosetta Tynes, Richard Tynes,

George Tynes and Lizzie Tynes, be made parties defendant to this bill and required to answer the same, that an order of publication may issue against the said defendants requiring them to appear and protect their interest in this suit, that the portition be made of the said tract of land or that it may be sold and the proceds of said sale, after payment of the costs of this suit including a reasonable attorney fee to J. Heiming Nelms for his services, be distributed amongst the parties interested so far as they may be known and so far as they cannot be found that their shares may be paid into court, and that such other and further relief may be granted as may suit the premises or to equity shall seem meet. And your complainants will ever pray.

J. Heiming Nelms p.q.

x in conducting this suit

Tynes, Chas. et ux
vs
Sol. Clancy
Tynes, Lizzie et als

Compl's Exhibits filed

Sept. Rules 1881.
Bill filed, affidavit made & file & Ord. of publication & the depts.

Oct. 8, 1881. Def't Lizzie Tynes ans. & Sol. Clancy ans.

Oct. 1882. Answers of Sol. Clancy & Lizzie Tynes filed.

Sept. 1882. Reply of pltf's filed & Def't Lizzie Tynes ans. & Sol. Clancy ans.

Oct. 1883. Reply of pltf's filed & answer of Sol. Clancy & Lizzie Tynes.

April Term 1892.
Final