

1921-011 Chancery Causes: Ethel Booker + Annie Blount vs Rosa Williams et

355

Isle of Wight County
Plat

other surnames, Persons,
Godwin, Goodwyn, Skyles,
Goodwin, Harris

Booker et al

n of Chancery No

Gilliam et al

Bill of Complaint

such matters are alone and properly cognisable, they pray that Rosa Gilliam, Florence Skyles, Neil Goodwyn, Samuel Goodwyn, John Goodwyn, and Henry Goodwyn, may be made parties defendant to this bill and be required to answer the same, though answer under oath is hereby expressly waived; that proper process issue; that the said land, if it be expedient so to do, be divided among the parties entitled thereto, and if partition in kind shall be found impracticable, that the same may be sold and the proceeds divided among the parties entitled thereto; that the conveyances to Rosa Gilliam and Samuel Goodwyn be declared to be advances, and that they be excluded from the partition, unless their lands are put in hotchpotch; that all proper orders and decrees may be entered and proper inquiries and accounts be directed and taken, and that your complainants may have such other further, general and special relief as the nature of their case may require, or to equity shall seem meet. And your complainants will ever pray.

Ethel Rootes & Annie Blount

By counsel.

Jno. N. Sebrell, Jr.	)	
A. S. Johnson	)	p.q.

Fulgham to a corner, thence South along the said land to the County Road leading from Zuni to Isle of Wight Court House, thence East along said road to the point of commencing. No acreage is given in said deed, but in transferring the same upon the books, ten (10) acres were deducted from the lands of Chaney Goodwyn and charged to Rosa Gilliam, and upon such acreage has she been paying taxes since.

Your complainants here state that the said conveyance to the said Rosa Gilliam was made to her as an advancement and was intended to be her share of the said estate, and that when said deed was executed it was understood and believed that the said Rosa Gilliam should take said land as and for her part after the death of Chaney Goodwyn, and that she should not further participate in the said estate.

Your complainant say that at the time of the making of the said deed they were infants under twenty-one years of age, and that their mother, Chaney Goodwyn, was not only very ignorant, but that she was a paralytic and was feeble in mind and body, and that she did not comprehend the effect of her said deed.

Your complainants aver that the said Rosa Gilliam has been receiving the rents and profits from the said land for some time, and is indebted to your complainants and the other heirs at law of Chaney Goodwyn, deceased.

Your complainants believe and here state that the said land is susceptible of partition in kind among the parties entitled thereto, but that if it is not so susceptible of partition in kind that it would be to the interest of the parties that the whole be sold and the proceeds divided among the parties in such proportion as their interests may entitle them to.

IN TENDER CONSIDERATION WHEREOF, and inasmuch as your complainants are without remedy save in a court of equity where all

Johnson's estate, thence North to an old line stump a corner on James Etta Johnson deceased, and Albert Harris and Rosa Gilliam, thence North by a line of marked trees on Rosa Gilliam to a red oak in a branch a corner on George Persons and Rosa Gilliam, thence Southwest along the run of said branch to a pine, a corner on George Persons, thence East along the land of George Persons to the point of beginning.

With the like intention to make advancement to his granddaughter Rosa Gilliam, the said George Persons set apart a certain parcel of the said land to her and built a house for her thereon, and it is believed that a deed was executed therefor, as the foregoing deeds refer to the land of Rosa Gilliam as a boundary, but such deed, if ever prepared, was never put upon record, and in order to carry out the intention of the said George Persons, Chaney Goodwyn, Florence Gilliam (now Florence Skyles), Ethel Gilliam (now Ethel Booker), and Annie Gilliam (now Annie Blount), by deed bearing date the 24th day of September, 1909, conveyed to Rosa Gilliam all that piece or parcel of land situated in Hardy Magisterial District, in the County of Isle of Wight, in the State of Virginia, containing _____ acres, and described and bounded as follows: Commencing at a post on the County Road leading from Zuni to Isle of Wight Court House, a corner on Chaney Goodwyn, thence North by a line of posts along the cleared land of Chaney Goodwyn to the woods and then by a line of marked trees to the land of Dorson Drew, deceased, then passing over the land of the said Dorson Drew commencing again opposite to the first terminus, thence North by a line of marked trees to the old mill run, thence West by said run to White Robertson, thence along the land of White Robertson to the lands of Dorson Drew, deceased, and passing over said Drew, deceased, thence South by the lands of White Robertson and T. J. Herrin, deceased, to the corner of Frank Fulgham, thence East along the lands of Frank

Your complainants are advised, believe, and here state, that by a proper construction of the said will, the said Chaney Goodwyn took the said property in fee simple upon the death of Elizabeth Persons; that Elizabeth Persons has departed this life, and that Chaney Goodwyn also, to-wit, on the first day of May, 1920, departed this life intestate, and leaving the following children as heirs at law: Cornelius Goodwyn, commonly known as Neil Goodwyn, Rosa Gilliam (wife of Wesley Gilliam), Samuel Goodwyn, Florence Skyles (wife of John Skyles), Ethel Booker (wife of Ashley Booked), Annie Blount (wife of Walter Blount), John Goodwyn, and Henry Goodwyn; the last two, John Goodwyn and Henry Goodwyn, have been absent from the State of Virginia for more than twenty years, and have not been heard from within that time, and are supposed to be dead.

By deed dated the 17th day of September, 1910, and recorded in the Clerk's Office of Isle of Wight County, Virginia, in Deed Book 78, page 456, Chaney Goodwyn, Florence Goodwyn, Ethel Goodwyn, and Annie Goodwyn, conveyed their interest in said land in trust to secure to Rosa Gilliam the payment of the sum of \$178.75, which amount your complainants believe and here state has been fully satisfied.

The said George Persons, during his life, intended to make advancements to his grandchildren, and by deed bearing date on the 8th day of March, 1906, and recorded in Isle of Wight County, Va., in Deed Book 75, page 270, conveyed to Annie Harris and Albert Harris, for love and affection, eight (8) acres of land described in said deed, a copy of which is filed herewith as Exhibit "A", and prayed to be read and taken as a part of this bill, *and provided in said deed that if they died without children then said land to return to his estate*
That by deed bearing date on the 7th day of November, 1908, and duly recorded in Isle of Wight County, Va., in Deed Book 77, page 31, the said George Persons conveyed to Samuel Goodwyn, for love and affection, nine (9) acres of land, commencing on the South at a yard gate post a corner on George Persons and James Etta

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

ETHEL BOOKER and

ANNIE BLOUNT,

v.

ROSA GILLIAM, FLORENCE SKYLES,
NEIL GOODWYN, SAMUEL GOODWYN,
JOHN GOODWYN, and HENRY GOODWYN.

TO HONORABLE E. D. WHITE, Judge of the said Court:

Humbly complaining sheweth unto your Honor, your complainants, Ethel Booker and Annie Blount, that George Persons about the year 1909 departed this life, seized and possessed of certain real estate situate in the County of Isle of Wight, Virginia, described as follows: A tract of land of _____ acres, lying on the road from Isle of Wight Courthouse to Zuni, and adjoining the lands of _____ Bland, Frank Fulgham, and others,

which said real estate, by his last will and testament, duly admitted to probate in the County of Isle of Wight, Virginia, on the 12th day of July, 1909, he devised to his wife, Elizabeth Persons for and during her life, with a provision for the remainder as follows: "After the death of my beloved wife Elizabeth Persons my will is that my farm shall go from heir to heir Chanie Godwin being my first heir".

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY:

ETHEL BOOKER and

ANNIE BLOUNT

v.

ROSA GILLIAM, FLORENCE SKYLES,
NEIL GOODWYN, SAMUEL GOODWYN,
JOHN GOODWYN, and HENRY GOODWYN

TO HONORABLE B. D. WHITE, Judge of the said Court:

Humbly complaining sheweth unto your honor, your complainants, Ethel Booker and Annie Blount, that George Persons about the year 1909 departed this life, seized and possessed of certain real estate situate in the County of Isle of Wight, Virginia, ~~described~~ as follows:

A tract of land _____ acres, lying on the road from Isle of Wight Courthouse to Zuni, and adjoining the lands of _____ Bland, Frank Fulgham et als, which said real estate by his last will and testament duly admitted to probate in the County of Isle of Wight, Virginia, on the 12th day of July, 1909, he devised to his wife Elizabeth Persons, for and during her life, with a provision for the remainder as follows:

"After the death of my beloved wife, Elizabeth Persons, my will is that my farm shall go from heir to heir, Chanie Godwin being my first heir."

Your complainants are advised, believe, and here state, that by a proper construction of said will, the said Chaney Goodwyn, took the said property in fee simple upon the death of Elizabeth Persons; that Elizabeth Persons has departed this life, and that Chaney Goodwyn also, to-wit: On the 1st day of May, 1920, departed this life intestate and leaving the following children

children as heirs at law, Cornelius Goodwyn, commonly known as Neil Goodwyn, Rosa Gilliam, wife of Wesley Gilliam, Samuel Goodwyn, Florence Skyles, wife of John Skyles, Ethel Booker, wife of Ashley Booker, Annie Blount, wife of Walter Blount, John Goodwyn, and Henry Goodwyn, the last two John Goodwyn and Henry Goodwyn, have been absent from the State of Virginia for more than twenty (20) years, and have not been heard from within that time, and are supposed to be dead.

By deed dated the 17th day of September, 1910, and recorded in the Clerk's Office, Isle of Wight County, Virginia, in Deed Book 78, page 456, Chaney Goodwyn, Florence Goodwyn, Ethel Goodwyn and Annie Goodwyn, conveyed their interest in said land in trust to secure to Rosa Gilliam, the payment of the sum of \$178.75, which amount your complainants believe, and here state, has been fully satisfied.

The said George Persons during his life intended to make advancements to his grand-children, and by deed bearing date on the 8th day of March, 1906, and recorded in Isle of Wight County, Virginia, in Deed Book 75, page 270, conveyed to Annie Harris and Albert Harris, for love and affection, eight (8) acres of land described in said deed, a copy of which is filed herewith as "Exhibit A", and prayed to be read and taken as a part of this bill, and provided in said deed that if they died without children then said land to return to his estate.

That by deed bearing date on the 7th day of November, 1908, and duly recorded in Isle of Wight County, Virginia, in Deed Book 77, page 31, the said George Persons conveyed to Samuel Goodwyn for love and affection, nine (9) acres of land, commencing on the south at a yard gate post, a corner on George Persons and James Etta Johnson's Estate, thence north to an old line stump, a corner on James Etta Johnson, deceased, and Albert Harris and Rosa Gilliam, thence north by line of marked trees on Rosa Gilliam to a red oak in a branch, a corner on George Persons and Rosa Gilliam, thence

southwest along the run of said branch to a pine, a corner on George Persons, thence east along the land of George Persons to the point of beginning.

With the like intentions to make advancements to his granddaughter, Rosa Gilliam, the said George Persons set apart a certain parcel of the said land to her and built a house for her thereon, and it is believed that a deed was executed therefor, as the foregoing deeds refer to the land of Rosa Gilliam as a boundary, but such deed if ever prepared was never put on record, and in order to carry out the intention of the said George Persons, Chaney Goodwyn, Florence Gilliam, now Florence Skyles, Ethel Gilliam, now Ethel Booker, and Annie Gilliam, not Annie Blount, by deed bearing date the 24th day of September, 1909, conveyed to Rosa Gilliam, all that piece or parcel of land situate in Hardy Magisterial District, in the County of Isle of Wight, in the State of Virginia, consisting of _____ acres, and described and bounded as follows: Commencing at a post on the County road leading from Zuni to Isle of Wight Courthouse, a corner on Chaney Goodwyn, thence north by line of post along the cleared land of Chaney Goodwyn to the woods, and then by a line of marked trees to the land of Dorson Drew, deceased, then passing over the land of said Dorson Drew, commencing again opposite to the first terminus, thence north by a line of marked trees to the old mill run, thence ^{west} by said run to White Robertson, thence along the land of White Robertson to the lands of Dorson Drew, deceased, and passing over said Drew, deceased thence south by the lands of White Robertson and T. J. Herrin, deceased, to the corner of Frank Fulgham, thence east along the lands of Frank Fulgham to a corner, thence south along the said lands to the county road leading from Zuni to Isle of Wight Courthouse, thence east along said road to the point of commencing. No acreage is given in said deed, but in transferring the same upon the books, ten (10) acres were deducted from the lands of Chaney Goodwyn and charged to Rosa Gilliam, and upon such acreage has she been paying taxes since.

Your complainants here state that the said conveyance to the said Rosa Gilliam was made to her as an advancement and was in-

tended to be her share of the said estate, and that when said deed was executed, it was understood and believed that the said Rosa Gilliam should take said land as and for her part, after the death of Chaney Goodwyn, and that she should not further participate in the said estate.

Your complainants say that at the time of the making of the said deed they were infants under twenty-one years of age, and that their mother, Chaney Goodwyn, was not only very ignorant, but that she was a paralytic and was feeble in mind and body and that she did not comprehend the effect of her said deed.

Your complainants aver that the said Rosa Gilliam has been receiving the rents and profits from the said land for some time and is indebted to your complainants, and the other heirs at law are Chaney Goodwyn, deceased.

Your complainants believe and here state that the said land is susceptible of ^{partitioning} ~~partitioning~~ kind among the parties entitled thereto but that if it is not so susceptible of partitioning in kind that it would be to the interest of the parties that the whole be sold and the proceeds divided among the parties in such proportion as their interest may entitle them to.

IN TENDER CONSIDERATION WHEREOF and in as much as your complainants are without remedy, save in a court of equity, where all such matters are alone and properly cognizable, they pray that Rosa Gilliam, Florence Skyles, Neil, Goodwyn, Samuel Goodwyn, John Goodwyn and Henry Goodwyn may be made parties defendant to this bill and be required to answer the same, though answer under oath is hereby expressly waived, that proper process issue, that the said land if it be expedient so to do, be divided among the parties entitled thereto, and if partition in kind shall be found impracticable that the same may be sold and the proceeds divided among the parties entitled thereto, that the conveyances to Rosa Gilliam and Samuel Goodwyn be declared to be advances and that they be excluded from

the partition unless their lands are put in hotch potch, that all proper orders and decrees may be entered and proper inquiries and accounts be directed and taken and that your complainants may have such other further general and special relief as the nature of that case may require, or to equity shall seem meet.

And your complainants will ever pray.

Ethel Booker and Annie Blount

By counsel.

Jno. N. Sebrell, Jr.,

P.q.

A. S. Johnson

A Copy:

Teste _____ Clerk.

Ethel Booker et al.

VS:

Rosa Gilliam et als.

Filed 7/10/21

Answer of Rosa Gilliam.

E. H. WILLIAMS
ATTORNEY-AT-LAW
SMITHFIELD, VIRGINIA

This respondent denies that she has been receiving the rents and profits from the said land for some time or that she is indebted to the said complainants or the other heirs at law of the said Chaney Goodwyn and calls for strict proof of the same, but on the contrary this respondent states that the other heirs at law of the said Chaney Goodwyn are indebted to her for the up-keep of the said land and certain improvements placed thereon.

This respondent states that the estate of the said Chaney Goodwyn is indebted to her for the funeral expenses of the said Chaney Goodwyn and also for her board, care and maintenance.

This respondent denies all allegations in the said bill not specifically admitted in said answer and calls for strict proof of same.

And now, having fully answered the complainants bill this respondent prays hence to be dismissed with a reasonable cost in this behalf expending and further prays that in so far as this said answer sets up new matter it may be treated as a cross-bill.

And she will ever pray, etc,

Rosa Gilem

By Counsel

C. H. Williams, Jr.

tention upon the part of the said George Persons.

This respondent specifically denies that the conveyance to her of a certain tract of land fully described in the Deed to her from Chaney Goodwyn, Florence Goodwyn, Ethel Goodwyn, and Annie Goodwyn by their deed bearing date of the 24th day of September, 1909, and of record in the said Clerk's Office, in Deed Book 79, page 477, (the said land also being fully described in the complainants bill), was conveyed to her in pursuance of any intention of the said George Persons, to make an advancement to her or that the said George Persons had ever built a house thereon for her benefit; but that the said conveyance of the said land was made to her for a fair and valuable consideration.

This respondent denies that the said conveyance was made to her as an advancement and that it was intended to be her share of the said estate, she denies that at the time the said deed was executed it was understood and believed that she should take the said land as and for her part of the said estate after the death of the said Chaney Goodwyn and that she should not further participate in the said estate and she called for strict proof of the same.

This respondent denies that at the time of the signing of the said deed that any of the children who signed the said deed were infants, under twenty one years of age, and she asserts that it was not necessary for any of the children of the said Chaney Goodwyn to sign the said deed in order to give to this respondent a fee simple title to the said land; and she emphatically denies that the said Chaney Goodwyn at the time of the execution of the said deed was very ignorant or was feeble in mind or did not comprehend the effect of her said deed and calls for strict proof of all such allegations.

ent calls for strict proof of the same.

This respondent admits that by a proper instruction of the said will the said Chaney Goodwyn took the said property in fee simple upon the death of the said Elizabeth Persons; and that both Elizabeth Persons and the said Chaney Goodwyn have heretofore departed this life.

This respondent admits that the heirs at law of Chaney Goodwyn, deceased, are Cornelius Goodwyn, commonly known as Neil Goodwyn, Rosa Gilliam, wife of Wesley Gilliam, Samuel Goodwyn, Florence Skyles, wife of John Skyles, Ether Booker, wife of Ashley Booker, Annie Blount, wife of Walter Blount, John Goodwyn and Henry Goodwyn; the last two, John Goodwyn and Henry Goodwyn, having been absent from the State of Virginia for a period of more than twenty years, and that they have not been heard from within that time, and are supposed to be dead.

This respondent admits that Chaney Goodwyn, Florence Goodwyn, Ethel Goodwyn, Annie Goodwyn, by their deed bearing date of September 17th, 1910, and of record in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, in Deed Book 78, page 456, conveyed their interest in the said land in trust to secure to the respondent the payment of the sum of One Hundred and Seventy Eight Dollars and Seventy-five cents (\$178.75) but denies that any part of the principal or interest thereon has been paid to the said respondent; and if it be seriously contended that there have been any payments made to this respondent on account of the said principal or interest, then she calls for strict proof of such payments.

This respondent denies that the said George Persons, in his life time, intended to make advancements to his grand-children and calls for strict proof, if it be material of such in-

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

ETHEL BOOKER and
ANNIE BLOUNT,

v.

ROSA GILLIAM, FLORENCE SKYLES,
NEIL GOODWYN, SAMUEL GOODWYN,
JOHN GOODWYN, AND HENRY GOODWYN.

The answer of Rosa Gilliam to the bill of complaint filed against her and others in the Circuit Court of Isle of Wight County, Virginia, by Ethel Booker et al.

This defendant, now and at all times hereafter, saving and reserving for herself all benefit and advantage of exceptions which can or may be had or taken to the many errors, uncertainties and insufficiencies in the said bill contained, for answer thereto, or to so much thereof as she is advised it is material or necessary for her to answer, this defendant answering saith:

She is informed and believes that George Persons departed this life about the year of 1909, seized and possessed of certain real estate in the County of Isle of Wight, Virginia, containing _____ acres, and lying on the road from Isle of Wight Court-house to Zuni, and adjoining the lands of Frank Fulgham et als, and that by the last will and testament of the said George Persons, the same having been duly admitted to probate in the County of Isle of Wight, Virginia, on the 12th day of July, 1919, he devised to his wife, Elizabeth Persons, the said land, for and during her life, with the provision that after the death of the said wife the said land should go from heir to heir, Chaney Goodwyn being his first heir, but this respond-

✓
Boone et al
x of
Gilliam et al

Subpoena

Returned filed Oct 26, 1970

Neal Goodwin
Not found.
Ricklow
City Dept
J. B. Fabelo
Dep City Dept

COMMONWEALTH OF VIRGINIA:

To the Sgt City of Portsmouth:

We command you that you summon Neal Goodwin Joe
Somers Avenue to appear at the Clerk's Office of
the Circuit Court of our County of Isle of Wight, at the rules
to be holden therefor, on the fourth Monday in October, 1920,
to answer Ethel Booker and Annie Blount a bill in chancery,
filed against them. And have then and there this writ.

Witness, R. A. Edwards, Clerk of said Court, at the
Courthouse, this 19th. day of October, 1920.

R. A. Edwards Clerk.

A. S. Johnson, P.C.

I hereby acknowledge rec. by a sufficient
service of the within process.

Neal Goodwin

Joe Summit Ave Portsmouth

Booker et al
v. No 355
Rosa Williams et al

Subpoena

Executed in Southampton
County Virginia, this 20th,
day of October 1920?, by deliv^{ing}
a true copy hereof, to Sam
Goodwin, in person.

C. L. Grizzard Sheriff.

Returned executed and
filed Oct 21. 1920

Not

R. G. Edwards.
Clerk

R.

COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County:

We command you that you summon Sam Goodwin (near
Smeryville), to appear at the Clerk's Office of
the Circuit Court of our County of Isle of Wight, at the rules
to be holden therefor, on the fourth Monday in October, 1920,
to answer Ethel Booker and Annie Blount a bill in chancery,
filed against them. And have then and there this writ.

Witness, R. A. Edwards, Clerk of said Court, at the
Courthouse, this 19th. day of October, 1920.

R. A. Edwards Clerk.

A. S. Johnson, p.g.

Ethel Root
x of Cy. No. 355
Rosa Gilliam

Copy of order Dubon

Filed Oct 19. 1920

6038-page 21

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE
OF WIGHT OCTOBER 19TH. 1920.

Ethel Booker and Annie Blount

vs) Chancery. No. 355

Rosa Gilliam, Florence Styles, Neal Goodwin, Sam Goodwin, John Goodwin and Henry Goodwin.

The object of this suit is to have partition of a certain parcel of land, situate, lying and being in the County of Isle of Wight and State of Virginia, of which Chanie Goodwin died siezed and possessed, adjoining the lands of Rosa Gilliam et als. And an affidavit having been filed which asserts that Rosa Gilliam is a non resident of this State, whose address is 493 Elizabeth Avenue, Newark, N.H; that Florence Styles is a non resident of this State, whose address is 68 Plain Street, Newark, N.J.; that John Goodwin and Henry Goodwin have not been heard from in many years, and that diligence has been used to ascertain in what county or corporation they reside, without effect; that John Goodwin's last known post office address was Drewryville, Va, and that Henry Goodwin's last post office address was Norfolk, Va. It is ordered that the said Rosa Gilliam, Florence Styles, John Goodwin and Henry Goodwin, do appear here within ~~fifteen~~ ten days after due publication hereof, and do what is necessary to defend their interests.

A copy,

Teste, R. A. Edwards Clerk.

A. S. Johnson, p.g.

The order, of which the above is a copy, was entered on the 19th. day of October, 1920, in the Chancery Order Book, a copy posted at the front door of the Court house, a copy mailed to each of the defendants effected by it, as required by law, and a copy filed with the papers in the cause, *and a copy mailed to friends*
James for prob.

Teste, R. A. Edwards Clerk.

Blount et al
v. Cy. No 355
Gillman et al

Affidavit for writ
Publication

Filed Oct 19 - 1970

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

Ethel Booker and Annie Blount
vs) Chancery.

Rosa Gilliam, Florence Skyles, Neal Goodwin, Sam Goodwin, John Goodwin and Henry Goodwin.

This day came before me, Ethel Booker, complainant herein and made oath that Rosa Gilliam and Florence Skyles are not residents of the State of Virginia; and that diligence has been used by her to ascertain in what county or corporation John Goodwin and Henry Goodwin reside, without effect.

The last known addresses of the parties named were as follows:

Rosa Gilliam, 493 Elizabeth Avenue, Newark N.J.

Florence Skyles, 68 Plain Street, Newark, N.J.

in Florida
John Goodwin, last heard from in Florida, no local address known. Last Post Office address, Drewryville, Va.

Henry Goodwin, last heard from was in Norfolk, Virginia.

Both John Goodwin and Henry Goodwin have been away and not heard from in about twenty years.

4, 1920 under my hand this 19 October 1920
Johnson
Commissioner in Chancery.

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE
OF KIGHT OCTOBER 19TH. 1920.

Ethel Becker and Annie Blount

vs) Chancery. No. 356

Rosa Gilliam, Florence Skyles, Earl Goodwin, Sam Goodwin, John Goodwin and Henry Goodwin.

The object of this suit is to have partition of a certain parcel of land, situate, lying and being in the County of Isle of Kight and State of Virginia, of which Chenie Goodwin died seized and possessed, adjoining the lands of Rosa Gilliam et als. And an affidavit having been filed which asserts that Rosa Gilliam is a non resident of this State, whose address is 493 Elizabeth Avenue, Newark, N.J.; that Florence Skyles is a non resident of this State, whose address is 68 Plain Street, Newark, N.J.; that John Goodwin and Henry Goodwin have not been heard from in many years, and that diligence has been used to ascertain in what county or corporation they reside, without effect; that John Goodwin's last known post office address was Drewryville, Va, and that Henry Goodwin's last post office address was Norfolk, Va. It is ordered that the said Rosa Gilliam, Florence Skyles, John Goodwin and Henry Goodwin, do appear here within ~~thirteen~~ ten days after the publication hereof, and do what is necessary to defend their interests.

A copy.

Teste. R. G. Edwards Clerk.

A. S. Johnson, P.g.

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

ETHEL BOOKER ET AL.,

v.

GILLIAM ET AL.

DECREE.

Enter this: March , 1921.

Judge.

JOHN N. SEBRELL, JR.
ATTORNEY AND COUNSELLOR AT LAW
SEABOARD BANK BUILDING
NORFOLK, VIRGINIA

5. Whether there are any liens or taxes upon the interests of any of the parties;
6. The annual and fee simple value of the said property;
7. Whether all the parties are properly before the court;
8. And any other matter deemed pertinent by the Commissioner or required by any interested party to be stated.

Which said inquiries the Commissioner will make and report to court.

VIRGINIA:

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

ETHEL BOOKER AND ANNIE BLOUNT,

v.

ROSA GILLIAM, FLORENCE SKYLES,
NEIL GOODWYN, SAMUEL GOODWYN,
JOHN GOODWYN, and HENRY GOODWYN.

This day this cause came on to be heard on the bill of complainants and exhibits therewith filed, the answers of Rosa Gilliam, Florence Skyles, Neil Goodwyn, and Samuel Goodwyn, this day filed by leave of court, with general replication thereto; and it appearing to the court that the defendants, John Goodwyn and Henry Goodwyn, have been absent from the State of Virginia for more than seven years, in fact, for more than twenty years, and that they have not been heard from during that time, the said suit is dismissed as to them, they being in law presumed to be dead, 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 in chancery of this court to ascertain and report to court,

1. Whether the land in the bill and proceedings mentioned is susceptible of partition among the parties entitled thereto according to any of the modes prescribed by law;
2. If the land is not so susceptible of partition in kind, whether the interest of the parties will be promoted by a sale of the entire subject and a division of the proceeds;
3. What are the interests of the several parties in said land;
4. Whether the conveyances to Samuel Goodwyn and Rosa Gilliam were intended as advancements;

Booker et al

vs
Gilliam et al

Memo

Filed Oct 19. 1920

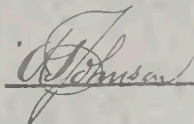
Ethel Booker and Annie Blount,

vs. Chancery. No. 355.

Rosa Gilliam, Florence Skyles, Neal Goodwin, Sam Goodwin, John Goodwin, and Henry Goodwin.

To the Clerk of the Circuit Court of the County of Isle of Wight.

Issue summons for defendants, Neal Goodwin, directed to Sgt. City of Portsmouth. He is at 800 Somers Avenue, and for Sam Goodwin, to Sheriff of Southamotin County, He lives at Drewryville.



f.c.

✓
Fulgurum

Charm of Rose of Sharon

8

San Guadalupe

Jackson Park

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

February 26th. 1921.

Mr. John N. Sebrell, Jr.,

Norfolk, Va.

Dear John: Re Booker et als. vs. Gilliam et als.

I am enclosing, herewith, papers in this suit, which you will find read for entry of decree, save for the order of publication as to the parties who have been missing for over twenty years. You will recall that order of publication was given to Smithfield Times, and that it was published, but before I could get the Editor to give me a certificate the paper ceased to be published and the proprietor went away, to Norfolk with Ledger-Dispatch, I believe. He has promised time and again to give me certificate, and if you can get hold of him (his name is Hill A. Gardiner) you may be able to get him to make it there. He tells me that he did, in fact, publish it four times once-a-week, as the law required. Get the papers before the Judge, some time next week, and let his mind get right on them and he can bring them along with him on the 7th. of March and enter the decree, and we can get to work. Williams informs me that we will have to go to New Jersey to take some testimony, the nature of which he did not disclose and I have not yet asked him what it is. Look after this next, week, please, and get the papers in the hands of the Judge.

Yours very truly,

