1922-014 Chancery Causes: John R. Johnson, Junior vol vs Emma Delk et al
Isle of Wight County Petition of John R. Johnson et al

other SURNames: Selden, Tynes, Merchant, Cox, Ballard, Pierce, Hayes, Gwaltney, Shelton, Gadling

October 15th. 1918: Order publication entered upon affidavit filed, for Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, and Lucy Merchant, and unknown parties. Copy posted at the front door of the Courthouse and copy sent to Suffolk Herald for publication: Process issued and mailed to Sheriff of Isle of Wight County for Garfield Tynes, Maggie Tynes, Mary Tynes and George Tynes, returnable to Second October Rules:
October 28th. 1918: Second October Rules: Process returned executed on George Tynes, Mary Pierce, who was Tynes, Garfield Tynes and Maggie Tynes, Bill filed: Decree nisi as to defendants upon whom process has been duly served: Continued on order of publication:
November 6th. 1918: First November Rules: Bill taken for confessed as to George Tynes, Mary Pierce, who was Tynes, Garfield Tynes and Maggie Tynes, and cause set down for hearing as to them. Continued on order of publication as to them.
November 20th. 1918: Second November Rules: Order publication completed November 8th. Continued.
November 27th. 1918: Third November Rules, 1918: Order publication executed, cause set down for hearing as to all defendants.

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John R. Johnson, Jr.,
et als.

Cy to 781

vS) BILL

Emma Delk, et als.

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

relief may be afforded your complainants as the nature of their case may require, or to equity and good conscience shall seem meet, and your complainants will ever pray.

John R. Johnson Jr.
Thos. L. Johnson
Mary E. Selden
Maude Johnson
Jonathan M. Johnson
Missouri Johnson
E. H. Williams Esq.

By Counsel

ago, in testate, and seized in fee-simple of either one-fifth or one-tenth interest in the first two tracts of land above mentioned, and left surviving her as her only heir at law a daughter, Lucy Merchant, who was Johnson.

Your complainants state said lands are susceptible of petition among parties entitled thereto, but if it be not, then your complainants desire that the same may be sold and the proceeds divided among the parties entitled to share therein, according to their respective rights.

In tender consideration whereof and forasmuch as your complainants are remediless in the premises, except in a Court of Equity, they pray that the said defendants, viz: Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchants and parties unknown, may be made parties defendant to this Bill and required to answer the same, an answer under oath being hereby expressly waived that all proper process may issue. That the said real estate be divided among the several parties entitled thereto, and in case the said real estate cannot be petitioned and divided in kind that the same be exposed to sale and proceeds of such sale be divided among parties entitled thereto according to their respective rights; that all proper orders and decrees may be made and proper inquiries be directed; that a reasonable fee be paid your complainants' Attorney for his services in this cause, and all such further and other general

Jones, deceased, A. S. Johnson, deceased, and John Bidgood, the said 3-3/8 acres of land of the said John R. Johnson and the said 3-3/8 acres that belonged to the said William Johnson in his life time have always been treated and known as one tract of land, and left surviving him as his only heirs at law your said complainants, viz: John R. Johnson, Jr., Thomas B. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson.

THAT, Thomas Johnson, son of John Johnson, deceased, departed this life, in testate, about four years ago, and seized in fee-simple either one-fifth (1/5) or one-tenth (1/10) interest in the first two tracts of land mentioned and described in this Bill, and left surviving him as his only heirs at law the following children, viz: Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson.

THAT, Emma Delk, a daughter of the said John Johnson, deceased, is entitled to either a one-fifth or one-tenth interest in the said first two tracts of land above mentioned.

THAT, Elizabeth Tynes, a daughter of the said John Johnson, deceased, departed this life some years ago, in testate, and seized in fee-simple of either one-fifth or one-tenth interest in the first two tracts of land above mentioned, and left surviving her as her only heirs at law the following children, viz: Johnny Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes and George Tynes.

THAT, Jane Johnson, who was a daughter of John Johnson, deceased, departed this life some years

said complainants. The said David Johnson at the time of his death was seized in fee-simple of a one-half (1/2) interest in and to the said tract of 10-1/2 acres of land above described and the said tract of 3-3/8 acres above described.

THAT, the said John Johnson departed this life a number of years ago, the time unknown to your complainants, in testate, and seized in fee-simple, if the said David Johnson left no children, of the said 10-1/2 acres of land above mentioned and of the said 3-3/8 acres above mentioned, but if the said David Johnson left children surviving him then the said John Johnson was seized of only a one-half interest in the said two tracts. That the said John Johnson left surviving him, as his only heirs at law, the following children, viz: John R. Johnson, Thomas Johnson, Emma Delk, who was Johnson, Elizabeth Tynes, who was Johnson, Jane Johnson and Tody Johnson.

THAT, the said Tody Johnson departed this life a number of years ago without children and leaving surviving her as the only heirs at law the said John R. Johnson, Thomas Johnson, Emma Delk, Elizabeth Tynes and Jane Johnson.

THAT, John R. Johnson departed this life January 3d, 1918, in testate, and seized in fee-simple of either one-fifth (1/5) or one-tenth (1/10) interest in the two tracts of land above described and seized of the whole fee-simple interest of 3-3/8 acres of land near the Town of Smithfield and bounded by the County road leading from Smithfield to Isle of Wight Court House, the lands of E. W.

over to his son, Samuel Johnson, in fee-simple.

THAT, the said Bettie Johnson has long since departed this life.

THAT, during the life of the said Bettie Johnson, the life tenant, the said remainderman, Samuel Johnson, departed this life, in testate, and without issue.

THAT, the only heirs at law of the said Samuel Johnson were his uncles, viz: William Johnson, David Johnson and John Johnson, who were brothers of the said Scotland Johnson.

THAT, the said William Johnson departed this life many years ago, the exact time being unknown to your complainants, in testate, leaving surviving him as his only heirs at law his brothers, David Johnson and John Johnson. That the said William Johnson at the time of his death was seized in fee-simple of a one-third (1/3) interest in the 10-1/2 acre tract of land above mentioned and described and was also seized in fee-simple of a tract of land containing three and three-eighths (3-3/8) acres near the Town of Smithfield, Virginia, and bounded by the County road leading from Smithfield, Virginia, to Isle of Wight Court House and the lands of E. W. Jones, deceased, A. S. Johnson, deceased, and John Bidgood.

THAT, the said David Johnson departed this life, in testate, a number of years ago, but your complainants are not informed as to whether he left children surviving him. If he left no children, then the only heir at law would be the said John Johnson, the said John Johnson being the grandfather of your

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VA.

----------oOo----------

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson,.....Plaintiffs.

VS) In Chancery

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,.....Defendants.

----------oOo----------

TO THE HONORABLE B. D. WHITE,

JUDGE OF THE SAID COURT:

Your complainants, John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson, respectfully showeth unto the Court the following case:

THAT, in the year of 1855 Scotland Johnson was seized in fee-simple of all that certain tract, piece or parcel of land lying, being and situate in the county of Isle of Wight, State of Virginia, containing ten and one-half (10-1/2) acres, more or less, and bounded and described as follows: "Now bounded by the County road leading from Smithfield to Isle of Wight Court House and the lands of Thomas E. Tynes, David Tynes and J. W. Pretlow", and being so seized and possessed he departed this life, ~~in~~ testate, and by his last will and testament, which bears date of October 1st, 1855, and was probated January 7th, 1856, and is of record in the Clerk's Office of this Court in Will Book No. 26, page 86, he devised said land to his wife, Bettie Johnson, for life - remainder

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JOH SON ET ALS.

V.

DELK ET ALS.

PETITION

Filed July 6, 1950

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

IN THE CIRCUIT COURT OF [illegible] COUNTY, VIRGINIA:

Johnson et als.

v.

Dell et als.

To the Honorable E. D. White, Judge of said Court:

Your petitioners, John H. JOHNSON, [illegible] JOHNSON, MARY E. JOHNSON, MARY JOHNSON, JOSEPHINE W. JOHNSON, and MISSOURI JOHNSON [illegible] one-fifth interest, LIDDIA JOHNSON, [illegible] JOHNSON, MATTIE JOHNSON, [illegible] JOHNSON, EDDIE JOHNSON, WALTER JOHNSON, [illegible] JOHNSON representing one-fifth interest; Lucy Merchant, representing one-fifth interest,; JOHN TYREE, [illegible] TYREE, [illegible] TYREE, and MARY PIERCE, representing one-fifth interest and Anna Dell, representing one-fifth interest, respectfully ask that the funds in the hands of the [illegible] to-wit: eleven hundred dollars, which were derived from the sale of the real estate formerly owned by Samuel Johnson, be paid to them.

They have proven in the evidence taken in this cause that Samuel Johnson died [illegible] over fifty years ago and from that time until now has never been heard from, and that your petitioners are the heirs at law of their interest in as stated hereinabove and so recognized in a decree in this cause entered April 5th 1930.

It is therefore in accordance with an Act of the ASSEMBLY effective June 19th. 1920, that the said sum of money be paid them.

J. R. Johnson, T. B. Johnson, Mary Estelle,
Maude Johnson, Jno Johnson, Theodora Johnson
Marcha Johnson, Ernest Johnson, Maggie Johnson
Edith Johnson, Walter Johnson, Jos Johnson
Lucy Merchant, John Tyree, Garfield Tyree,
Geo Tyree, Maggie Tyree, Mary Pierce, Emma Dell

Clarke P. Dean,

Atty

E. S. Allison

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Johnson et als.

v.

Delk et als.

Petitioner of Partiees

Plaintiff and defendant

1920
Sept 21
Filed 3 P.M.

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44.00

5 1100 00 22nd
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10

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

Johnson et als.

v.

Delk et als.

To the Honorable B. D. White, Judge of said Court:

Your petitioners in this cause desire to report to your Honorable Court that the order of publication as directed in a decree in this cause entered on the_____day of_____ 1920, has been effected and the time prescibed for the said Samuel Johnson to appear has transpired, they, therefore, ask that the sum of eleven hundred dollars deposited under order of this Court be now disbursed to his heirs at law as they appear from the report of the commissioner in chancery and the decree heretofore entered in this cause.

Respectfully submitted,

E. S. Williams, D. C.

Rivers Deans Atty for Pltffs

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John R. Johnson, Jr., et als.

vs) Chancery. No 255

Emma Delk, et als.

Subpoena.

I executed the within summons this the 21 day of October 1918 in the County of Isle Of Wight by serving a true copy of the same on George Tynes and Mary Pierce, ne Tynes, in person.

R. A. Edwards.
Sheriff.

Accept service
Garfield Tynes
Maggie Tynes
Sarah P. Deans Atty.

COMMONWEALTH OF VIRGINIA,

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

We command you that you summon Garfield Tynes, Maggie Tynes, Mary Tynes, and George Tynes, to appear at the Clerk's Office of the Circuit Court for our County of Isle of Wight, at the R Rules to be holden therefor on the third Monday in October, 1918, to answer a bill in chancery filed against them, and others, by John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson, and Missouri Johnson: and have then and there this writ.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse, this 15th. day of October, 1918.

Teste, A. S. Johnson Clerk.

E. H. Williams, p.c.

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Johnson et al.
v. } Chancery No 788
Bell et als.
Affidavit for order
Publication

Filed Oct 15/1873

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT, VA.

----------oOo----------

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson,.....Plaintiffs.

VS) In Chancery

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,.....Defendants.

----------oOo----------

STATE OF VIRGINIA,

County of Isle of Wight, to-wit:

This day Maude Johnson, one of the above named plaintiffs, personally appeared before me, E. H. Williams, Commissioner in Chancery of the Circuit Court of the county aforesaid, State of Virginia, and made oath that Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, Johnny Tynes and Lucy Merchant, the above named defendants, are non-residents of this State, and that there are parties who may be interested in the subject matter of the above suit whose names are unknown.

Given under my hand ~~this~~ 9th day of September, 1918.

E. H. Williams

Commissioner in Chancery.

John R Johnson Jr et ales
vs Eq No 784
Emma Lee et ales

Copy of order Publication
Copy posted at front
door of Court House,
and copy sent to Suf-
folk Herald for publica-
tion October 15th 1918

Test. C Johnson. Clk

AND, it is further ordered that this order be published once a week for four successive weeks in the Suffolk Herald. a newspaper having a circulation in the County of Isle of Wight, and that a copy of this order be posted at the front door of the Court House of Isle of Wight County, as directed by law.

A S Johnson
Clerk.

E. H. Williams, p.q.

A Copy,

Teste,

A S Johnson Clerk.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, IN VACATION, THE 15th DAY OF ~~SEPTEMBER~~ October, 1918.

----------oOo----------

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson, ... Plaintiffs,

vs) In Chancery

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown, ...Defendants.

----------oOo----------

The object of the above styled suit is to make partition of ten and one half (10½) acres of land of which Scotland Johnson, died, seized and possessed, and to make partition of three and three eighths (3 3/8) acres of land of which William Johnson died, seized and possessed, and also to make partition of three and three eighths (3 3/8) acres of land of which John R. Johnson, died, seized and possessed.

AND, it appearing by affidavit, made and filed, according to law, that Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes and Lucy Merchant, the above named defendants are not residents of this State, and also there may be parties unknown who have interest in the subject matter of this suit, it is therefore ordered that the said Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, Johnny Tynes and Lucy Merchant and the heirs of David Johnson, deceased, if any, and all other parties who may have any interest in the land above mentioned ~~to~~ do appear within fifteen (15) days after due publication of this order, in the Clerk's Office of our said Circuit Court, and do what is necessary to protect their interest.

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Johnson, Jno R Jr et ux
vs
Cy. No 288
Deed, et ux

Nov 9, 1918
Filed

VIRGINIA: In the Clerk's Office of the Circuit Court of Isle of Wight County, in Vacation The Day of September, 1918.

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson _____ Plaintiffs

vs. IN CHANCERY

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,

_____Defendants.

The object of the above styled suit is to make partition of ten and one-half (10 1-2) acres of land of which Scotland Johnson, died, seized and possessed, and to make partition of three and three eighths (3 3-8) acres of land of which William Johnson died, seized and possessed, and also to make partition of three and three eighths (3 3-8) acres of land of which John R. Johnson, died, seized and possessed.

AND, it appearing by affidavit, made and filled, according to law, that Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes and Lucy Merchant, the above named defendants are not residents of this State, and also there may be parties unknown who have interest in the subject matter of this suit, it is therefore ordered that the said Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, Johnny Tynes and Lucy Merchant and the heirs of David Johnson, deceased, if any, and all other parties who may have any interest in the land above mentioned to appear within fifteen (15) days after due publication of this order, in the Clerk's Office of our said Circuit Court, and do what is necessary to protect their interest.

AND, it is further ordered that that this order be published once a week for four successive weeks in the Suffolk Herald, a newspaper having a circulation in the County of Isle of Wight, and that a copy of this order be posted at the front door of the Court House of Isle of Wight county, as directed by law.

A. S. JOHNSON,

E. H. WILLIAMS, p. q. Clerk.

A Copy Teste,

A. S. JOHNSON, Clerk.

Oct. 18 Nov. 8 4t.

OFFICE OF SUFFOLK HERALD

SUFFOLK, VA., April 28 191 9

I hereby certify that the order of which the annexed is a copy has been published in THE SUFFOLK HERALD in the manner prescribed by law---once a week for four weeks.

beginning October 18th., 1918 and ending

November 8th., 1918

Editor Herald

Johnson et ux

vs 288

Dees et ux

Copy of Order of
Publication entered
July 6th 1920.

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT JULY 6TH. 1920.

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson,

vs) Chancery. No. 228.

Emma Delk, Ernest Tynes, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Luch Merchant, and parties unknown, and Samuel Johnson.

The object of the above styled suit is to have partition of the lands, in Isle of Wight County, Virginia, of which Scotland Johnson died siezed and possessed, and upon the petition of all parties, both the complainants and the defendants, except the said Samuel Johnson, for the distribution of the funds arising out of the sale of the ten and a half acre tract of land in the bill and proceedings of the said suit mentioned, ~~xx~~ of which Scotland Johnson died siezed and possessed, which has been sold by the direction of this court, it is ordered that the said Samuel Johnson, who, from the evidence filed in this cause, appears to have been absent from the State for more than twenty years and has not returned, and his whereabouts unknown for such period, do appear here within ten days after due publication hereof, and do what may be necessary to protect his interest.

A copy,

Teste, A. D. Johnson Clerk.

A copy of the above order this day posted at the front door of the Courthouse of Isle of Wight County, a copy sent to Smithfield Times for publication, and a copy filed with the papers in the suit, after being entered in the Chancery Order Book.

Given under my hand this 6th. day of July, 1920.

A. D. Johnson Clerk.

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Johnson et ux
vs Ch. No 288
Emma Lee et ux

Commissioner's
Report

Filed Jany 15. 1919

A.S. JOHNSON
ISLE OF WIGHT C.H. VA.

David Tynes being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. My name is David Tynes, I am seventy eight years of age, or about that.

Q. Did you know anything of John, William and Scotland Johnson? A. I know that John and William were brothers, and I think Scotland was their brother. I know my father said that old man Scotland was uncle to the John who died just a little while ago.

Q. Did you know David Johnson? A. Yes, David Johnson was not David Johnson. He was Alex Cox's son, and when Alex Cox died he took up at John Johnson's house and called himself David Johnson after that was was, by some, known as John Johnson's son. William Johnson, brother of John Johnson, was a seafaring man, and died without having any wife or children.

And further this deponent saith not.

. Tom Tynes, being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation: A. My name is Tom Tynes, I think I am about sixty two or three years of age, I live in Isle of Wight County and am a farmer.

Q. Do you know anything about who Scotland Johnson was, and who were his brothers? A. Yes, I never knew Scotland Johnson, he died when I was right young, famliy talk tells me that he had two brothers, one named William and one named John. Scotland Johnson had one son, named Samuel, who went away many years before I can remember, and so far as I know never returned. I do not know whether or not he was ever married. I have never known anything of him or his heirs.

Q. What relation was David Johnson to Scotland, William and John? A. I do not know anything about David Johnson.

Q. Who were the children of John Johnson? A. John R. Johnson, a son, Thomas Johnson, a son, Jane Johnson, a daughter, she married a man named Merchant; Margaret Johnson, a daughter, who married a man named Ballard, and they had a son, who died without an heir. Margaret was sometimes called Tody Johnson, Elizabeth Johnson, who married Davy Tynes. Elizabeth is dead, and left children named John Tynes, Garfield Tynes, George Tynes, Maggie Tynes and Mary Tynes. All of these children are living. Davy Tynes, the husband is dead, Emma Delk, a daughter. These are all. Thomas Johnson left five children and a widow. I have not heard of the widow's death. The five children are living, and are named Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson-all of them are living in Orange N.J. John R. Johnson is dead, and left John R. Johnson, Jr. a son, Thomas B. Johnson, a son, Mary E. Sheldon, a daughter, Maude Johnson, a daughter, Jonathan W. Johnson, a son, and Missouri Johnson, a daughter, all of them living.

Q. Do you know the value of the two piece of land in question? A. I should think five hundred dollars each would be a fair value. That is five hundred dollars for the 10½ acre tract, and five hundred dollars for the seven acre tract, near Smithfield.

Q. How would you divide it if you had to divide it? I would put it up and sell it and divide the money. This is the only way it canebe done, conveniently, and it would be the fairest way.

Q.

H. T. Hayes being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. My name is H. T. Hayes, I live in Smithfield, in the County of Isle of Wight: I am fifty three years of age, and am a merchant.

Q. Are you acquainted with the two tracts of land which were held, controlled or claimed by John R. Johnson at the time of his death, and which, it is understood belongs to the estate of John Johnson, or to him and his brothers. A. Yes sir, I know the land, one of the tracts is a tract on the courthouse road, near Smithfield, said to contain seven and three quarter acres, and the other a tract, on the same road, about three miles from Smithfield, of 10½ acres.

Q. Please state what is a fair fee simple and a fair annual value for these tracts of land. A. It ought to rent for forty or fifty dollars a year, that is the piece nearer to Smithfield. The other piece would rent for nothing because it is all woodland. The tract nearer to Smithfield ought to bring about a thousand dollars or some little more, and the other tract probably bring five or six hundred dollars.

Q. You have heard the evidence of Tom Tynes: Are the names of the proper parties therein given correct, so far as you know? A. Yes sir, I know all of them and they are correctly stated.

Q. In a deed from Peggy Johnson to John and William Johnson, for the piece of land nearest Smithfield, is mentioned the name of Benjamin Gwaltney. Do you know who he was? It appears that he might have been the husband of Peggy Johnson? No sir. He is not living now. I think he was looked upon as her husband, from what I can hear.

Q. Do you know the names of John R. Johnson's heirs? A. Yes sir, they are John R. Junior, called Robert, lives in Philadelphia: Thomas B. Johnson, lives in New York: Mary E. Sheldon, lives in Surry County, Virginia: Maude Johnson, lives in Isle of Wight County, Virginia; Jonathan W. Johnson, lives in Isle of Wight County, and Missouri Johnson, lives in Philadelphia. She married Archer Hill, I think. All of them are alive and twenty one or more years of age.

Q. Do you know the heirs of Thomas Johnson? A. Yes sir, they are _____ Johnson, his widow, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson, all living in Orange N.J. They are all alive, and are more than twenty one years of age.

Q. Do you know Jane Johnson and where she lives? Yes sir, she ~~lives~~ died leaving a daughter, Lucy, twenty one years or more and lives in Brooklyn, N.Y.

Q. Do you know Margaret Johnson, and where she lives? A. Yes sir, I knew her or of her. She is dead. She married a man named Ballard, he is dead also, they had a son who is dead, and who died without ever having married.

Q. Do you know Elizabeth Johnson? Ans. Yes sir. She married David Tynes, she and her husband are both dead. They left the following named children: John Tynes, lives in Orange N.J., Garfield Tynes, lives in Orange, N.J. George Tynes, lives in Isle of Wight County? Maggie Tynes, lives in Orange N.J. and Mary Tynes, now Mary Pierce, lives in Isle of Wight County. Alls of them are of age.

is dead, and dying intestate and leaving no heir, direct, then this property would pass and descend through his brothers, William and John Johnson to the same parties who are entitled to share in the property which was conveyed to John Johnson and William Johnso, and in the same proportions as the six and three quarter acre tract is divisible.

12. The evidence taken by your commissioner is returned herewith, signatures of the witnesses being waived, by consent or counsel, counsel present at the hearing being E. H. Williams and Parke P. Deans.

13. The fifth inquiry of the decree is not answered, because of the fact that John R. Johnson's interest is covered in the fifth answer, completely.

Respectfully submitted.

A D Johnson
Commissioner in Chancery.

Commissioner's fee $45.00

Witnesses:
W J Hayes 2.50
Tom Symes 2.50
David Symes 2.50

6. Whether or not there are any liens against the real estate mentioned above by delinquent taxes, or otherwise, or against the interest of any party entitled to share therein. Ans. There are delinquent taxes against the ten and a half acre tract of land in the name of Scotland Johnson for the year 1910.

7. Whether or not all the necessary and proper parties and properly before the Court, and who are the necessary and proper parties to this cause. Ans. All the necessary and proper parties appear to be properly before the court, save and except Samuel Johnson, or his heirs, and they are covered by the order of publication entered herein.

8. Whether or not the property mentioned in the bill can be conveniently divided among the several parties entitled to share therein. Ans. It does not so appear.

9. And if the same cannot be conveniently divided among the several parties entitled to share therein, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to. Ans. It does not appear that any party in interest desires to take the land and pay the other parties for their shares.

10. And if the same cannot be conveniently divided among the several parties entitled to share therein and no party will take the entire property and pay the others such sums of money as their interests therein may entitle them to, whether the interests of those entitled to share in said property will be promoted by a sale of the entire property, or by allotment of a part and a sale of the residue. A. It appears that a sale of the whole and a division of the proceeds will be the most convenient way to make division thereof.

11. Any other matter deemed pertinent by the Commissioner, or required to be taken and stated by any party in interest. Ans. Nothing more than as stated above appears to be desired or necessary, except to say that the ten and a half acre tract belonging to the estate of Scotland Johnson, in the event Samuel Johnson

as follows: John Johnson left him surviving the following named children:

1.John R. Johnson.
2.Thomas Johnson
3.Jane Johnson
4.Margaret Johnson
5.Elizabeth Johnson.
6.Emma Johnson.

Margaret Johnson, numbered 4 above, married a man named Ballard, and they had a son. All of them are now dead, the said son dying without issue. This leaves the property mentioned divisible into five parts, and to which it passes and descends as follows:

One fifth to the heirs of John R. Johnson, now deceased, who are John R. Johnson, of Philadelphia, Penna: Thomas B. Johnson, of New York City: Mary W. Sheldon, of Surry County, Virginia; Maude Johnson, of Isle of Wight County, Virginia, Jonathan W. Johnson, of Isle of Wight County, Virginia, and Missourri Johnson, of Philadelphia, Penna, all being the children of said John R. Johnson, and over the age of twenty one years.

One fifth, to the heirs of Thomas Johnson, deceased, who are Martha Johnson, widow, and the following named children: Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson, all being over the age of twenty one years and of Orange, N.J.

One fifth, to Jane Merchant, who was Jane Johnson, dead leaving a daughter, named Lucy, now living in Brooklyn, N.Y. She is more than twenty one years old

One fifth, to the children of Elizabeth Johnson, who married David Tynes (who is dead). The children are as follows: John Tynes, of Orange, N.J.:-Garfield Tynes, of Orange, N.J.: George Tynes, of Isle of Wight County, Virginia: Maggie Tynes, of Orange, N.J: and Mary Pierce, who was Mary Tynes, of Isle of Wight County, Virginia. All of them are over the age of twenty one years.

One fifth to Emma Johnson, now Emma Delk, of Orange, N.J. She is of age.

for separate entries. In the said deed the said Peggy Johnson reserved to herself a life estate, as well as a life estate to one Benjamin Gwaltney. It is not clear who Benjamin Gwaltney was, but the inference, from the records, is that he was her adopted husband. They are both, however, long since dead.

3. An account of the real estate of which David Johnson died siezed and possessed, together with the annual and fee simple value thereof and a description of the said land and its location, and who are the heirs of said David Johnson, and their respective interest in the said land, their ages and places of residence. Ans. David Johnson appears to not have been David Johnson. He seems to have been a son of one Alex Cox, and, when his father died just "took up" at John Johnson's house and was, sometimes believed to be the son of John Johnson. He, nor any of his descendents, whomsoever they might be, appear to have any interest in the subject matter of this suit.

4. An account of the real estate of which John Johnson was seized and possessed, together with the annual and fee simple values thereof, and a description of the said land and its location, and who are the heirs of the said John Johnson, and their respective interests therein, their ages and places of residence. Ans. John Johnson was a brother of William Johnson, and the joint owner, with the said William Johnson, of the six and three quarter acre tract of land before mentioned after the second inquiry noted herein. This tract of land has an annual value, it appears, of forty or fifty dollars a year, and the fee simple value is estimated at from five hundred to a thousand. Your commissioner believes the latter figure plenty low. The tract lies, as mentioned, adjoining the lands of the estate of B. [illegible]. Jones and John Bidgood, and on the road from Smithfield to Isle of Wight County Courthouse, and near Smithfield.

The heirs of the said John Johnson appear to be

ditch at the courthouse road, and running along said ditch on the land of Nancy Tynes to a corner, McDougall's land; thence along said McDougall's land to a small red oak, a corner on Scotland Johnson's land; thence along said Scotland Johnson's land to the courthouse road; thence along the said road to the beginning", containing ten and a half acres, more or less. This piece of land appears to have been all owned by Scotland Johnson when he died. It may be inferred from the description that he owned other land, but the land mentioned therein as his actually, according to the record, belonged to his wife.

The fee simple value of this tract of land appears to be about five hundred dollars. It has no annual value as it is all in woods.

Samuel Johnson appears to have been the only child of Scotland Johnson, and he left these parts some fifty or more years ago, it appears, and has not been heard of or from since that time so far as is known.

2. An account of the real estate of which William Johnson died siezed and possessed, together with the annual and fee-simple values thereof, and a description of the said land and its location, and who were the heirs at law of the said William Johnson and their respective interests therein, their ages and places of residence. Answer: William Johnson and John Johnson had conveyed to them, by Peggy Johnson, by her deed bearing date the 15th. day of January, 1822, a piece of land, near Smithfield, not specifically described in the deed, which it appears now ajoins the estate of E. W. Jones, the land of John Bidgood and the road leading from Smithfield to Isle of Wight Courthouse, containing six and three quarters acres, more or less. A joint estate was conveyed by said deed, and there appears to have been no partition of the said land since that time. The land went on the Land Book in separate parcels, but it did not appear by the deed that there was any authority

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

JOHN R. JOHNSON, JUNIOR ET ALS
VS) CHANCERY, NO. 288.
EMMA DELK ET ALS.

TO HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

The undersigned, one of the Commissioners in Chancery of the Circuit Court of the County of Isle of Wight, respectfully reports to the Court, that the papers in the above entitled cause have been referred to him for the execution of a decree entered therein on the 2nd. day of December, 1918; and, that on the 15th. day of January, 1919, in the presence of counsel for all of the parties, both complainant and defendant, he took the testimony of Tom Tynes, Davy Tynes and H. T. Hayes, and from such testimony so taken and from the record filed in the Clerk's Office of this Court, is informed, and reports, in response to said decree, and to the inquiries thereof in the order in which they were entered, as follows:

1. An account of the real estate of which Scotland Johnson died siezed and possessed, together with the annual and fee simple values thereof, and a description of said land, and its location, and to inquire further as to when Samuel Johnson, son of said Scotland Johnson, departed this life, and whether or not the said Samuel Johnson died intestate, and if he died intestate who were his heirs, and their ages and places of residence: Ans. That Scotland Johnson, on the 1st. day of February, 1818, had conveyed to him by David Tynes, junior, and his wife, a tract of land, situate in the County of Isle of Wight and State of Virginia, described in said deed as follows: "Beginning at a

11

Johnson et als.

v.

Delk et als.

Report of Spl. Commissioners

1920
May 1st.
Rec'd D.C.

HAMPTON ROADS PAPER CO., NORFOLK

was bid off by L. L. Hearn at twenty-one hundred and twenty-five($2125.00) dollars and desires to pay cash for same.

We ask to be directed to executed deeds and deliver upon the full payment of the purchase prices.

Respectfully submitted,

Special Commissioner.

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

John R. Johnson Jr. et als.

v.

Belk et asl.

The undersigned in pursuance of a decree in the Circuit Court of Isle of Wight County entered on the 5th day of April, 1920 in a cause in chancery in the said Court depending between John R. Johnson Jr., et als, complainants and Emma Belk et als, defendants, the necessary bond having been executed on the April 12th 1920 as named in decree; offered for sale at public auction in front of the office of E. H. Williams at Smithfield, Va., at 1 o'clock P. M., the real estate described in the bill and proceedings; a copy of the notice of sale which had been posted as required by aforesaid decree is herewith filed, and marked"Exhibit X".

The tract of land designated"First" and decribed as follows:

All that certain tract of land whereof Scotland Johnson died seized,lying, being and situated in Isle of Wight County, Virginia, containing ten and one-half(10½) acres, more or less, and bounded by the County Road leading from Smithfield to Isle of Wight Court House and the lands of Thomas E. Tynes, David Tynes and J. W. Pretlow;

was bid off by T. H. Massey at eleven hundred($1100.00) dollars and desires to pay cash for same.

The tract of land designated"Second and desribed as follows:

All that certain tract, piece or parcel of land in Isle of Wight County, Virginia, containing six and three- fourths (6¾) acres, more or less, located near the town of Smithfield Va., and bounded by the County Road leading from Smithfield to Isle of Wight Court House and the land of E. W. Jones, deceased, and John Bidgood;

COMMISSIONERS' SALE

REAL ESTATE IN ISLE OF WIGHT COUNTY

By virtue of a decree entered by the Circuit Court of Isle of Wight County, Va., on the 5th day of April, 1920, in a chancery cause of John R. Johnson, Jr., et als, complainants, vs. Emma Delk et als, defendants, pending in said court, we shall, as Special Commissioners, proceed to sell at public auction in front of the office of E. H. Williams, at Smithfield, Va

Friday, April 30th, 1920

BEGINNING AT 1.00 P. M.

FIRST. All that certain tract of land whereof Scotland Johnson died seized, lying, being and situate in Isle of Wight County, Va., containing ten and one-half (10½) acres, more or less, and bounded by the county road leading from Smithfield to Isle of Wight Courthouse and the lands of Thomas E. Tynes, David Tynes and J. W. Pretlow.

SECOND. All that certain tract, piece or parcel of land in Isle of Wight County, Va., containing six and three fourths (6¾) acres, more or less, located near the town of Smithfield, Va., and bounded by the county road leading from Smithfield to Isle of Wight Courthouse, and the lands of E. W. Jones, deceased, and John Bidgood.

TERMS OF SALE

One-third cash, and the remainder in two equal installments, payable respectively in twelve and twenty-four months from day of sale. The credit installments to be evidenced by notes of the purchasers bearing 6% interest from date of sale, and the title to the property to be retained until the whole of the purchase money be paid and a conveyance directed by by the Court. The purchaser shall deposit ten per cent of the purchase price with the Special Commissioners on the day of sale, which deposit, in addition to any other remedies, shall be forfeited to this cause in the event that the said purchasers shall not within ten days from day of sale fully comply with the terms of the sale, and unless said purchasers shall make said deposit ot time of sale then said Special Commissioners shall forthwith at the same time and place proceed to again sell said property upon said terms.

PARKE P. DEANS
E. H. WILLIAMS } Special Commissioners

April 12, 1920

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF ISLE OF WIGHT, April 12th, 1920.

I, A. S. Johnson, Clerk of the Circuit Court of the County of Isle wight, do hereby certify that the bond required of Parke P. Deans and E. H. Williams Special Commissioners in the suit in chancery in said Court pending styled John R. Johnson, Jr., et als, vs. Emma Delk et als, entered April 5th, 1920, has been duly executed.

A. S. JOHNSON, Clerk. [Seal]

13

JOHNSON ET ALS

V.

DELK ET ALS

REPORT OF SPL. COM'RS

Filed July 6, 1970

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

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

Johnson et als.
v.
Delk et als.

To the Honorable D. D. White, Judge of said Court:

Your undersigned Special Commissioners have collected from T. E. Massey the sum of eleven hundred dollars and made deed as directed by the Court in this cause by decree entered 3rd day of May, 1920.

They have also collected the sum of twenty one hundred and twenty five dollars from L. L. Hearn and have made deed as directed by the Court in the aforementioned decree.

Your special commissioners request that the Court direct them as to what disposition to make of the funds now deposited in bank.

Reference is made to the fact that one Samuel Johnson who once owned the tract of land purchased by T. E. Massey left this country over fifty years ago and has never been heard from since that time. The amount of this purchase price was eleven hundred dollars.

Clerke P. Deans

C. H. Williams

Special Commissioners.

June 10th, 1920

FORM 1

RECONCILEMENT

BALANCE FROM CHECK BOOK	$		
OUTSTANDING CHECKS NO.			
TOTAL	$		

DEPOSITS NOT CREDITED . . $_____
(IF ANY)

BANK BALANCE AS
PER STATEMENT . . . . . $_____

TOTAL $_____

TO PROVE BALANCE AS SHOWN ON STATEMENT

LIST YOUR BALANCE FROM CHECK BOOK IN SPACE PROVIDED ABOVE, SORT CHECKS NUMERICALLY OR BY DATE.

LIST ABOVE ALL CHECKS NOT RETURNED WITH STATEMENT COMPARING THE CHECKS RETURNED WITH CHECK BOOK STUBS.

IF ALL DEPOSITS HAVE BEEN CREDITED, THE TOTAL SHOULD AGREE WITH STATEMENT.

IF ANY DEPOSITS HAVE NOT BEEN CREDITED ON STATEMENT ADD THESE TO BALANCE SHOWN BY STATEMENT AND TOTAL SHOULD AGREE WITH OTHER TOTAL.

BANK OF SMITHFIELD
SMITHFIELD, VA.

NAME P. P. DEANS & E. H. WILLIAMS. (SPC. COMMISSIONERS.)

ADDRESS

Statement of your Account to close of Business

PLEASE EXAMINE AT ONCE. IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE CONSIDERED CORRECT.

MADE BY BAKER-VAWTER CO.

DATE	CHECKS IN DETAIL	DATE	DEPOSITS
1920.	BALANCE BROUGHT FORWARD ☞	9/18.	1100.00
OCT 12	828.00 —	OCT 12	
	207.00 —		
	40.00 —		
			25.00
Nov. 2, 1922.	BALANCE		

Thia atatement ia furniehed you inatead of balancing book. It savee you the trouble of bringing book to the bank and waiting for it to be balanced. Theee etatemente will be found very convenient to check up and file. All itema are credited subject to final payment.

IF YOU HAVE A PASS BOOK USE IT ONLY AS A RECEIPT WHEN MAKING DEPOSITS.

FORM 1

RECONCILEMENT

BALANCE FROM CHECK BOOK	$		
OUTSTANDING CHECKS NO.			
TOTAL	$		

→→

DEPOSITS NOT CREDITED . . $_____
(IF ANY)

BANK BALANCE AS
PER STATEMENT . . . . . $_____

TOTAL $_____

TO PROVE BALANCE AS SHOWN ON STATEMENT

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IF ALL DEPOSITS HAVE BEEN CREDITED, THE TOTAL SHOULD AGREE WITH STATEMENT.

IF ANY DEPOSITS HAVE NOT BEEN CREDITED ON STATEMENT ADD THESE TO BALANCE SHOWN BY STATEMENT AND TOTAL SHOULD AGREE WITH OTHER TOTAL.

BANK OF SMITHFIELD
SMITHFIELD, VA.

NAME P. P. Deans & E. H. Williams, Spc'l Commisioners.

ADDRESS

Statement of your Account to close of Business

PLEASE EXAMINE AT ONCE. IF NO ERROR IS REPORTED IN TEN DAYS THE ACCOUNT WILL BE CONSIDERED CORRECT.

MADE BY BAKER-VAWTER CO.

DATE	CHECKS IN DETAIL			DATE	DEPOSITS
	BALANCE BROUGHT FORWARD ☞				
MAY 21				MAY 21	3,225.00
JUL 7	45.00 –	2.75 –	16.50 –		
JUL 7	10.00 –	3.50 –		JUL 7	
JUL 10	14.75 –	4.00 –	378.10 –		
JUL 10	15.00 –			JUL 10	
JUL 12	73.50 –	22.00 –	2.50 –		
JUL 12	378.10 –	378.10 –	378.10 –		
JUL 12	378.10 –	2.50 –		JUL 12	
JUL 13	2.50 –			JUL 13	
JUL 14	20.00 –			JUL 14	

BALANCE 9/8, 1100.00

This statement is furnished you instead of balancing book. It saves you the trouble of bringing book to the bank and waiting for it to be balanced. These statements will be found very convenient to check up and file. All items are oreditad subject to final peyment.

IF YOU HAVE A PASS BOOK USE IT ONLY AS A RECEIPT WHEN MAKING DEPOSITS.

PAY ANY BANK OR BANKER
OR ORDER
JUL 8 1920
THE CITIZENS BANK
D. W. JORDAN, Cashier

Smithfield, Va. Jan 7 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Pierce V. Deans Ally $378.00

Three hundred seventy eight and 00/100 Dollars

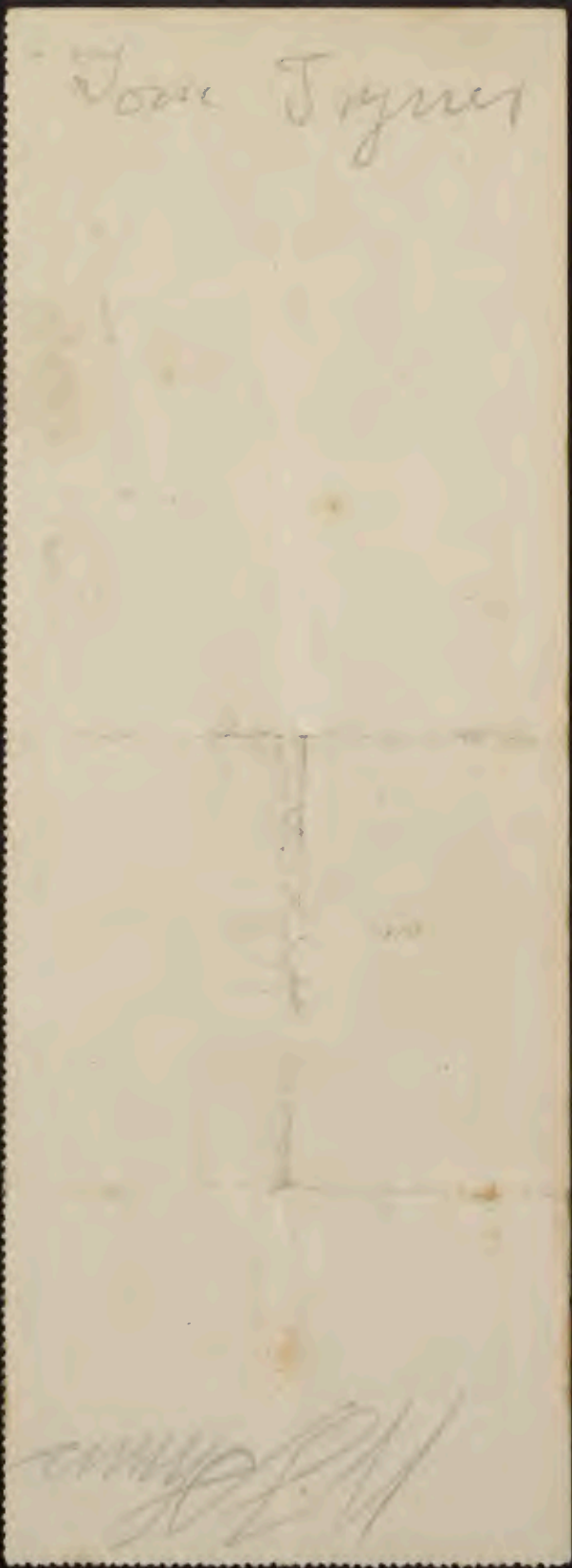
Interest of John Lyons, Jospeir Lyons, Ed Lyons, Maggie Lyons & Mary Pierce

Pierce V. Deans

C. K. Williams Jr. Pres.

Columbian Ribbon & Carbon Mfg. Co., Inc., Buffalo, N. Y.

THE FALCONER COMPANY BALTIMORE



Smithfield, Va. July 7 1902 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Tom Tyne $2.50

Two and 50/100 Dollars

Witness Fee

E. N. Williams Cashier

Johnson state v Deed et al

SMITHFIELD VA PAID DEC 18 1920

THE FALCONER COMPANY BALTIMORE

E. Hecksaus

Smithfield, Va. Jan 7 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of E. A. Williams $4.00

Four Dollars

Revenue Stamps on Deed.

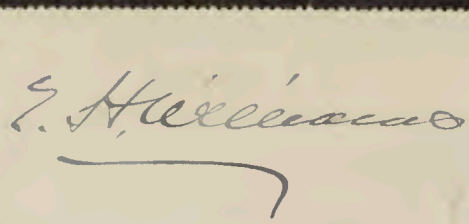
Paid Jan 10 1920 SMITHFIELD VA.

Laura Deans

E. A. Williams Spl Com

Johnson etc v Deans et al.

THE FALCONER COMPANY, BALTIMORE



A. S. JOHNSON,
Clerk of Circuit Court of Isle of Wight County, Virginia.

Smithfield, Va., July 7 1920 No. 281

The Bank of Smithfield

SMITHFIELD, VA.

Pay to the order of E. H. Williams $378 10/100

Three hundred seventy eight and 10/100 Dollars

Clerk of Dem

Dr. H. Johnson Jr. J. B. Johnson, Mary C. Shelton
Maude Johnson Jr. Johnson, Thomas Johnson

E. H. Williams Sp. Com
Johnson et als v Dela et al

THE H. L. STONE COMPANY, BALTIMORE

SMITHFIELD, VA. PAID JUL 10 1920 SMITHFIELD, VA.

Bank of Smithfield, Va.
PAY TO
THE ORDER OF
ALBERT S. JOHNSON

Smithfield, Va. 190 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of H. S. Johnson $45.00

Forty five Dollars

Commissioners in Chancery's Report

Clerke's Dues

E. A. Williams Spl Com

Johnston's Executor

PAID JUL 7 1905 BANK OF SMITHFIELD VA

THE FALCONER COMPANY, BALTIMORE

Bank of Smithfield, Va.
PAY TO
THE ORDER OF
ALBERT S. JOHNSON

Smithfield, Va. July 7 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of A. S. Johnson $2.75/100

Two and 75/100 Dollars

Delquent tax

BANK OF SMITHFIELD SMITHFIELD, VA. PAID

Paid 12 June

E. H. Williams Jr. Spec Com

Johnson et al v Deen et al

THE FALCONER COMPANY, BALTIMORE

Bank of Smithfield, Va.
ALBERT E. JOHNSON

Smithfield, Va. July 7th 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of A. S. Johnson Clerk $16.50/100

Sixteen and 50/100 Dollars

Clerk's Fees and Writ Tax

BANK OF SMITHFIELD PAID JUL 7 SMITHFIELD, VA.

Farish Deans

E. A. Williams Spl Comr

Johnson vs Deans et als

THE FALCONER COMPANY BALTIMORE

E. St. Hilaire

Smithfield, Va. July 7 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of E. H. Williams $14 75

Fourteen and 75/100 Dollars

Suffolk Herald order of Subscription

PAID JUL 10 1900

Yours Respectfully

E. H. Williams

For use of Bank or Deposit only

THE FALCONER COMPANY BALTIMORE

Smithfield, Va. July 9 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of E. H. Williams $15.00

Fifteen Dollars

Taped Attorneys Fee

PAID JUL 10 1920 SMITHFIELD VA

C. W. Williams

Executrix of Wm. Deck, dec'd

THE FALCONER COMPANY BALTIMORE

PAY TO THE ORDER OF
ANY BANK OR BANK
THE MERCHANTS &
68-234

Smithfield, Va. July 7th 1902 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of A. S. Barrett $10.00

Ten 7/100 Dollars

Premium on Bond

Cashier & Teller

E. H. Williams Jr.

Johnson Hotel & Deck Hotel

THE FALCONER COMPANY BALTIMORE

PAY TO THE ORDER OF
ANY BANK OR BANKER
THE MERCHANTS &
68-23

Smithfield, Va. July 7 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of D. J. Moore $3.50/100

Three and 50/100 Dollars

Crushing & Adv

Clarke & Brown

E. A. Williams Spl Com

Johnston Co's Docket

BANK OF SMITHFIELD PAID JUL 7 1920

THE FALCONER COMPANY BALTIMORE

R. A. Edwards

Smithfield, Va. July 7 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the Order of R. A Edwards $20.00

Twenty Dollars

Cris Y Sale

Buxy V Deans

E. T. Williams Jr.

Johnson Hdw. Co. Decker Hdw. Co.

PAID JUL 14 1920

THE FALCONER COMPANY BALTIMORE

Smithfield, Va. July 7th 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of A. D. Hayes $2.50

Two and 50/100 Dollars

Witness Fee

E. H. Willcox Jr.

Johnson Hdw. Co. Deck Hds.

THE FALCONER COMPANY BALTIMORE

Pay The Citizens Bank of [illegible]
Norfolk, Va. or order
ALL PRIOR ENDORSEMENTS GUARANTEED
BANK OF WINDSOR
Windsor, VA.
F. T. LEATHERS, [illegible] Cashier

PAY ANY BANK OR BANKER
OR ORDER
JUL 8 1920
THE CITIZENS BANK
08-34 [illegible] 60-34
D. W. JORDAN, Cashier

E. Delcher
Pay

Smithfield, Va. June 7 1920 No.

The Bank of Smithfield

Smithfield, Va.

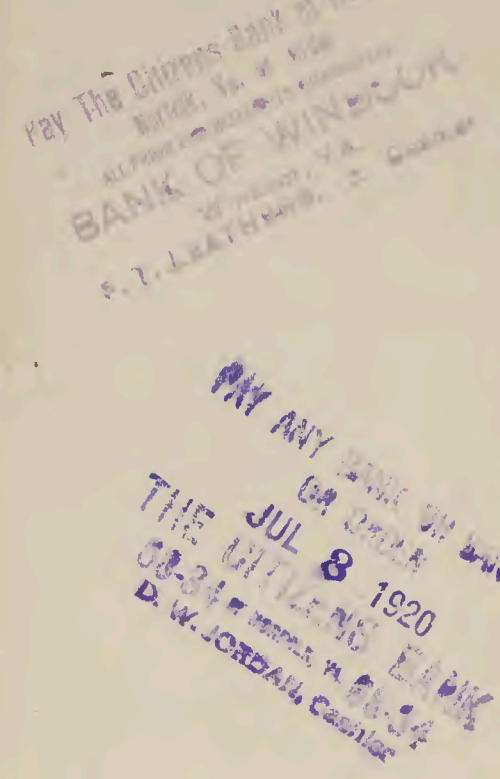
Pay to the order of Clerk Deans Est Williams $73.50

Seventy three and 50/100 Dollars

Commission on Sale

Clerk Deans
Est W. D. Williams Spl Com
Jr Trustees, Dec'd et als.

THE FALCONER COMPANY BALTIMORE


Pay The Citizens Bank of Norfolk
BANK OF WINDSOR
S. T. LEATHERS, Cashier
JUL 8 1920
THE CITIZENS BANK
D. W. JORDAN, Cashier

Smithfield, Va. Jan 7 1920 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Lucie A Deans + Est W Williams $22.00

Twenty ~~00~~ Dollars

Preparing two deeds

Lucie A Deans

Est W Williams Spec C

Johnson Fab v Deeds et al

THE FALCONER COMPANY BALTIMORE

David Lyons
Swamp Furnace

Smithfield, Va. July 7 1905 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of David Tynes $2.50

Two and 50/100 Dollars

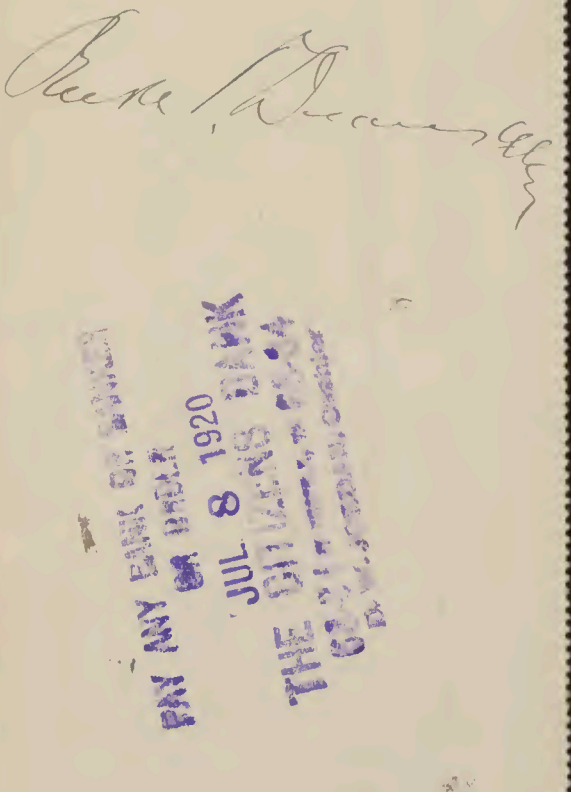
Witness Fee

Tynes D

E M Williams Spl Com

Johnson et als v Dell et al

THE FALCONER COMPANY BALTIMORE



Smithfield, Va. July 7 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Park View Dairy Co $378.10

Three hundred seventy eight and 10/100 Dollars

Interest of Martha Johnson, Ernest Johnson, Maggie Johnson, Edna Johnson Walter Johnson Joseph Johnson, heirs of Thos Johnson

Park View Dairy
E. H. Williams Gen'l Mgr

Johnson et als v. Delk et als

THE FALCONER COMPANY BALTIMORE

JUL 8 1920

Smithfield, Va. July 7 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Wade & Deans Atty $378.10

Three hundred & seventy eight and 10/100 Dollars

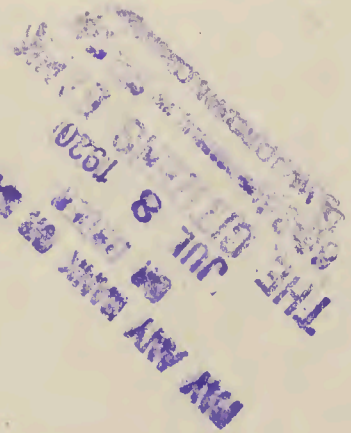
Interest of Lucy Marchant & others

Wade & Deans

By C. N. Williams Vice Pres.

Cashier

THE FALCONER COMPANY BALTIMORE


PAY ANY BANK OR BANKER
THE CITIZENS BANK
JUL 8 1920

A. S. JOHNSON,
Clerk of Circuit Court of Isle of Wight County, Virginia.

Smithfield, Va., July 7 1920 No. 230

The Bank of Smithfield

SMITHFIELD, VA.

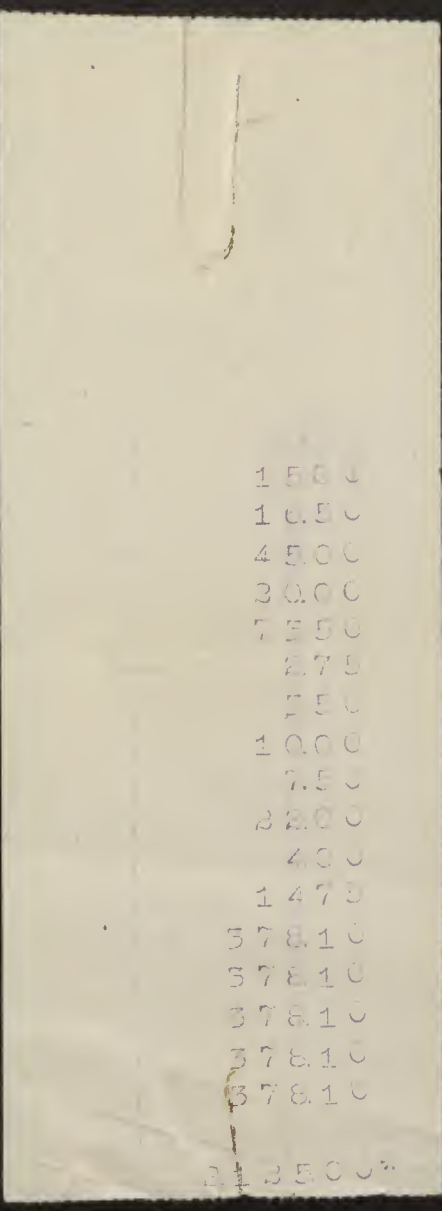
Pay to the order of Burke & Deans Atty $378.10

Three Hundred Seventy eight and 10/100 Dollars

Int & Costs Deck

Burke & Deans
E. H. Williams Jr. Cashier
Commissioner in Chancery

THE FALCONER COMPANY BALTIMORE



302
60
2462

16

Johnson et als

v.

Delk et als.

Report of Spl. Com'rs

1930
Sept. 24.
Filed & Del'd

PARKE P. DEANS,
ATTORNEY AT LAW,
WINDSOR, VIRGINIA.

The Linden Printing Company, Hartford, Conn.

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

NOVEMBER TERM, 1922.

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson, and Missouri Johnson,
.....Plaintiffs.

vs. In Chancery.

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,
.....Defendants.

-----oOo-----

TO THE HONORABLE B. D. WHITE, JUDGE OF THE SAID COURT:

The undersigned Special Commissioners, beg leave to report that in pursuance of a decree, heretofore entered in this cause, the said Special Commissioners have distributed the Eleven Hundred Dollars ($1100.00) remaining in their hands, the same being derived from the sale of the Scotland Johnson tract of land of ten ten and a half acres (10½), as follows:-

1920			
Sept. 18-	To amt. received from T. H. Massey for Scotland Johnson tract of land.....$1100.00		
Oct. 9	By amt. pd. E. H. Williams, for distributive share of John R. Johnson, Jr. Thomas E. Johnson, Mary E. Selden, Maude Johnson, Jonothan W. Johnson and Missouri Johnson, as per voucher hereto attached.....		207.00
Oct. 9	By amt. pd. P. P. Deans, for the distributive share of Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Joseph Johnson, John Tynes, Garfield Tynes, Lucy Merchant, as per voucher hereto attached.		828.00
1921			
Apr. 18	By amt. pd. T. B. Johnson, for amt. advanced for searching title and obtaining information to file petition as per voucher hereto attached		40.00
	By balance in hand, reserved to pay		25.00
		$ 1100.00	$1100.00

Very respectfully submitted

SPECIAL COMMISSIONER

SPECIAL COMMISSIONER

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

SEPTEMBER 21, 1920

Johnson, et als

v.

Delk, et als

To the Honorable B. D. White, Judge of the said Court:

Your undersigned commissioners have in accordance with a decree entered in this cause on the ___day of_____? 1920 disbursed the funds as follows:

A. S. Johnson, Clerk'd fees	15.00
Writ Tax and taxed attorney's fee	16.50
A. S. Johnson, Commissioner in Chancery	45.00
R. A. Edwards, Crier of Sale	20.00
E. H. Williams and P. P. Deans, commissions as special commissioners	73.50
A. S. Johnson Tax account	2.75
D. J. Mood, printing notice of sale	3.50
A. S. Barrett, premium on bond	10.00
H. T. Hayes, witness	2.50
Tom Tynes, witness	2.50
David Tynes, witness	2.50
E. H. Williams and P. P. Deans preparing deeds	22.00
Revenue Stamps for deeds	4.00
E. H. Williams for cost in order of publication	14.75
E. H. Williams, Attorney for John R. Johnson, Thomas B. Johnson, Mary E. Shelton, Maude Johnson, Jonathan W. Johnson and Missouri Johnson	378.10
P. P. Deans, Attorney for Martha Johnson, the widow, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson	378.10
P. P. Deans, Attorney for Lucy Marchant	378.10
P. P. Deans, Attorney for John Tynes, Garfield Tynes, George Tynes, Maggie Tynes and Mary Pierce	378.10
P. P. Deans, Attorney for Emma Delk	378.10
Total	$ 2,125.00

Your commissioners report that the eleven hundred dollars was deposited in the Bank of Smithfield was directed.

Respectfully submitted

Parke P. Deans
E. H. Williams
Spec. Comm.

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

Johnson et als

v.

Delk et als.

To the Honorable B. D. White, Judge of the said Court:

Your undersigned commissioners have in accordance with a decree entered in this cause on the__ day of_____?1920 disbursed the funds as follows;

A.S. Johnson, Clerk's Fees	15.00
Writ Tax and taxed attorney's fee	16.50
A. S. Johnson, Commissioner in Chancery	45.00
R. A. Edwards, Crier of Sale	20.00
E. H. Williams and P. P. Deands commissions as special commissioners	73.50
A. S. Johnson tax account	2.75
D. J. Mood, printing notice of sale	3.50
A. S. Barrett, premium on bond	10.00
H. T. Hayes, witness	2.50
Tom Tynes, witness	2.50
David Tynes, witness	2.50
E. H. Williams and P. P. Deansn preparing deeds	22.00
Revenue Stamps for deeds	4.00
E.H. Williams for Cost in Order 2 Publication	14.75
E. H. Williams, Attorney for John R. Johnson Thomas B. Johnson, Mary E. Shelton, Maude Johnson, Jonathan W. Johnson and Missourri Johnson	378.10
P. P. Deans, Attorney for Martha Johnson, the widow, Ernest Johnson, Margie Johnson Edith Johnson, Walter Johnson and Joseph Johnson	378.10
P. P. Deans, Aottnrney for Lucy Marchant	378.10
P. P. Deans, Attorney for John Tynes, Garfield Tynes, George Tynes, Maggie Tynes and Mary Pierce	378.10
P. P. Deands, Attorney for Emma Delk	378.10
Total	2125.00

Your commissioners report that the eleven hundred dollars was deposited in the Bank of Smithfield was directed.

Respectfully submitted,

P. P. Deans

E. H. Williams

Johnson et als

vs.

Delk et als

Report of
Payments.

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

E. Stillman

Smithfield, Va., Oct 9 1920 No.

Bank of Smithfield

68-233

SMITHFIELD, VA.

Pay to the order of E. H. Vaughan Atty $207.09

Two hundred and seven ~~~ Dollars

Due for fifth Orlean

Russell Dunn

E. H. Vaughan

Spl Com in Johnson et al v Delk et al

THE FALCONER LITHO CO., BALTIMORE

Pay The Citizens Bank of Norfolk,
Norfolk, Va. or Order
ALL PRIOR ENDORSEMENTS GUARANTEED
BANK OF WINDSOR,
Windsor, VA.
F. T. LEATHERS, - Cashier

Smithfield, Va., Oct 9 1920 No.

Bank of Smithfield 68-233

SMITHFIELD, VA.

Pay to the order of Peter V. Beaumont $828.00

Eight hundred twenty eight ——— Dollars

Bonus for Fish Pickers

Peter V. Beaumont

E. W. Williams

For Com'n on Shipments Oct 2 to Oct 8

THE FALCONER PRINTING COMPANY, BALTIMORE

PAY TO THE ORDER OF
ANY BANK OR TRUST CO.
PRIOR ENDORSEMENTS GUARANTEED
MORTGAGE & TRUST COMPANY
UNITED STATES
NEW YORK CITY
1-104 G. O. HOFFMAN, TREAS
THIRD STREET BRANCH
APR 22 1921
PAY TO THE ORDER OF ANY
BANK, BANKER OR TRUST COMPANY
Prior Endorsement Guaranteed
APR 23 1921
68-3
Federal Reserve Bank of Richmond

Smithfield, Va., 4/18 1921 No.

Bank of Smithfield

SMITHFIELD, VA. 68-233

Pay to the order of F. B. Johnson $40 00

Forty & No/100 Dollars

Suit advanced for Searching Title Re-Johnson-Bros. vs. Nicholas.

E. T. Williams

PAID BANK OF SMITHFIELD APR 26 1921 SMITHFIELD, VA.

Louis Johnson Executor - V. Nicholas

THE FALCONER COMPANY, BALTIMORE

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT,

VIRGINIA.

November Term, 1922.

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson, and Missouri Johnson, ...Plaintiffs.

vs. In Chancery.

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,.....Defendants.

-----oOo-------

TO THE HONORABLE B. D. WHITE, JUDGE OF THE SAID COURT:

The undersigned Special Commissioners, beg leave to report that in pursuance of a decree, heretofore entered in this cause, the said Special Commissioners have distributed the Eleven Hundred Dollars ($1100.00) remaining in their hands, the same being derived from the sale of the Scotland Johnson tract of land of ten and a half acres (10½), as follows:-

1920			
Sept. 18-	To amt. received from T. H. Massey for Scotland Johnson tract of land	$1100.00	
Oct. 9.	By amt, pd. E.H. Williams, for distributive share of John R.Johnson, Jr. Thomas E.Johnson, Mary E. Selden, Maud Johnson, Jonothan W. Johnson, and Missouris Johnson, as per voucher hereto attached.....		$207.00
Oct. 9.	By amt. pd.P.P.Deans, for the distributiveshare of Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Joseph Johnson, John Tynes, Garfield Tynes, Mary Tynes, Geo.Tynes, Lucy Merchant, as per voucher hereto attached.		828.00
1921			
Apr. 18.	By amt. pd. T.B Johnson, for amt. advanced for searching title and obtaining information to file petition as per voucher hereto attached-		40.00
	By balance in hand, reserved to pay __ _____		25.00
		$1100.00	$ 1100.00

Very respectfully submitted-

SPECIAL COMMISSIONER

SPECIAL COMMISSIONER.

1

JOHN R. JOHNSON, JR., et als.

VS) D E C R E E: In 88

EMMA DELK, et als.

1918
Dec 2.
Enter this.
R.D.W.

We consent to this decree
E. H. Williams, p.q.
Rivers & Dunn Atty's for Emma Delk et al.

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

entitle them to.

TENTH: And if the same cannot be conveniently divided among the several parties entitled to share therein and no party will take entire property and pay the others such sums of money as their interest therein may entitle them to, whether the interest of those entitled to share in said property will be promoted by a sale of the entire property, or by an allotment of a part and a sale of the residue.

ELEVENTH: Any other matter deemed pertinent by the Commissioner ~~is~~ or required to be taken and stated by any party in interest.

And the said Commissioner shall return to the said court any evidence taken by him in support thereof.

William Johnson and their respective interest therein, their ages and places of residence.

THIRD: An account of the real estate of which David Johnson died, seized and possessed, together with the annual and fee-simple value thereof and a description of the said land and its location and who are the heirs of the said David Johnson and their respective interest in the said land, their ages and places of residence.

FOURTH: An account of the real estate of which John Johnson was seized and possessed ~~at the time of his death~~, together with the annual and fee-simple values thereof, and a description of the said land and its location, and who are the heirs of the said John Johnson and their respective interest in the said land, their ages and places of residence.

FIFTH: An account of the real estate of which John R. Johnson died, seized and possessed; together with the annual and fee-simple values thereof, and a description of the said land and its location, and who are the heirs of the said John R. Johnson and their respective interest in the said land, their ages and places of residence.

SIXTH: Whether or not there are any liens against the real estate mentioned above by delinquent taxes, or otherwise, or against the interest of any party entitled to share therein.

SEVENTH: Whether or not the parties ~~in interest and all necessary parties~~ are properly before the court. Who are the necessary and proper parties and all necessary and proper parties

EIGHTH: Whether or not the property mentioned in the bill can be conveniently divided among the several parties entitled to share therein.

NINTH: And if the same cannot be conveniently divided among the several parties entitled to share therein, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may

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

DECEMBER 2ND, 1918.

----------oOo----------

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson,.....Plaintiffs,

VS) In Chancery

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,.....Defendants.

----------oOo----------

This cause came on this day to be heard upon the bill of complaint filed and taken for confessed, due process having been served on all the parties in interest, who live in Virginia, and an order of publication having been duly ~~made~~ posted and published, as to all non-resident parties and as to parties unknown, 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 into and report to court.

FIRST: An account of the real-estate of which Scotland Johnson died, seized and possessed, together with the annual and fee-simple values thereof and a description of said land and its location, and to inquire further as to when Samuel Johnson, son of the said Scotland Johnson, departed this life and whether or not the said Samuel Johnson died intestate, and if he died intestate, who were his heirs, and their ages and place of residence

SECOND: An account of the real estate of which William Johnson died, seized and possessed, together with the annual and fee-simple values thereof, and a description of the said land and its location, and who were the heirs at law of the said

9

Johnson et als

v. No 288

Delk et als.

DECREE

1920
Apr. 5th /
Entered this.
B.D.W.

6.OB.7 page 536

PARKE P. DEANS
ATTORNEY-AT-LAW
WINDSOR, VIRGINIA

And the said commissioners are directed to deposit the said notes and cash instalments in the Merchants and Farmers Bank of Smithfield, Virginia to the credit of the court in this cause, and to report their proceedings hereunder to the Court, returning therewith a certificate of deposit ~~of such notes and cash~~ for the cash instalments, and the notes taken by them.

But the said special commissioners shall have no power to execute this decree until they shall enter into bond ~~with sufficient security in~~ before the Clerk's Office with County Sureties sufficient to said Clerk of this Court, payable to the Commonwealth of Virginia, in the penalty of two thousand dollars, and conditioned for the faithful discharge of their duties hereunder and hereafter directed.

in Isle of Wight County, proceed to sell, at public auction, the land in the bill and proceedings mentioned, being described as follows:

First: All that certain tract, ~~piece or parcel~~ of land ~~lying, being and situate~~ in the County of Isle of Wight, ~~State of~~ Virginia, containing ten and one-half($10\frac{1}{2}$) acres, more or less, and bounded by the County road leading from Smithfield to Isle of Wight Court House and the lands of Thomas E. Tynes, David Tynes and W. W. Pretlow: and

Second: All that certain tract, piece or parcel of land. ~~lying, being and situate~~ in the County of Isle of Wight, ~~State of~~ Virginia, containing six and three-fourths($6\frac{3}{4}$) acres, be the same more or less, located near the town of Smithfield, Virginia, and bounded by the County Road leading from Smithfield to Isle of Wight Court House, and the lands of E. W. Jones, deceased and John Bidgood.

The said sale shall be upon the following terms: one-third cash, and the remainder in two equal instalments, payable respectively, in twelve and twenty four months from day of sale, the credit instalments to be evidenced by notes of the purchasers, bearing six per cent interest from date of sale, and the title to the property to be retained until the whole of the purchase money be paid, and a conveyance directed by the court, and the purchasers shall deposit ten per cent of the purchase price with the commissioners on the day of sale, which deposit shall be forfeited to this cause in the event that the said purchasers shall not, within ten days from the day of sale, fully comply with the terms of sale; and unless said purchasers shall make said deposit ~~on said day~~ of sale, then the said special commissioners shall, forthwith, at the time and place proceed to again sell said property upon said terms.

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

John R. Johnson, Junior et als.

v. Chancery No.288

Emma Delk et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A. S. Johnson, Commissioner in Chancery, filed January 15th 1919, ~~with exhibits therewith filed~~, to which report no exception is taken, and was argued by counsel:

~~On consideration whereof~~, And it appearing ~~to the Court~~, from ~~the~~ said report, that the property, mentioned and described ~~therein~~, and in the bill and proceedings of this suit, cannot be conveniently partitioned among the parties entitled to the same; and that the interest of all parties will be promoted by a sale of the said real estate; ~~and it further appearing~~ that John R. Johnson, Thomas B. Johnson, Mary E. Shelton, Maude Johnson, Jonathan W. Johnson and Misscurri Johnson, the children of John R. Johnson own a one-fifth interest ~~in the property~~ herein; that Martha Johnson, the widow, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson and Joseph Johnson, the children of Thomas Johnson, own a one-fifth interest ~~in the property~~; that Lucy Merchant, ~~owns one fifth~~ the daughter of Jane Johnson, who married Merchant owns one-fifth interest; ~~in the property~~; that John Tynes, Garfield Tynes, George Tynes, Maggie Tynes, and Mary Pierce, who was Tynes, the children of Elizabeth Johnson, who married David Tynes, own a one-fifth interest; and that Emma Johnson who married Delk owns a one-fifth interest; * the Court doth ~~approve and~~ confirm the said report, and doth adjudge, order and decree that E. H. Williams and Parke P. Deans, who are hereby appointed special commissioners for the purpose, shall, ~~after~~ advertising, by posting notices, the time, place and terms of sale for fifteen days, ~~by posters~~ placed in ten or more public places

* That no landowner with the property and stay of money

12

Jchnscn et als

v.

Delk et als

Decree.

1920.
May 4.
Enter this.
B.D.W.

C.O.B.7. Page 543

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

Johnson et als.

v. } 248

Delk et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of Parke P. Deans and E. H. Williams, Special Commissioners ~~of the sale made by them of the real estate in these proceedings mentioned~~, this day filed, by leave of court, to which report there is no exception, and was argued by counsel; and it

~~It~~ appearing from said report that T. H. Massey was the purchaser, at the sum of eleven hundred dollars cash, the tract of land described as follows:

All that certain tract of land whereof Scotland Johnson died seized, being and situate in Isle of Wight County, Va., containing ten and one-half (10½) acres, more or less, and bounded by the county road leading from Smithfield to Isle of Wight Courthouse and the lands of Thomas E. Tynes, David Tynes and E. W. Pretlow; ~~and~~ that L. L. Hearn was the purchaser at twenty-one hundred and twenty-five dollars cash, the tract of land desribed as follows:

All that certain tract, piece or parcel of land in Isle of Wight County, Va., containing six and three-fourths (6¾) acres, more or less, located near the town of Smithfield Va., and bounded by the county road leading from Smithfield to Isle of Wight Courthouse, and the lands of E. W. Jones, deceased and John Bidgood;

On consideration whereof, the Court doth approve and confirm the said report, and the said sales, and ~~the Court~~ doth order the said special commissioners to convey the said tracts of land to T. H. Massey, and L. L. Hearn, respectively, by deeds with covenant of special warranty upon the full payment of said purchase prices.

And said commissioners' report hereunder,

15

JO NSON ET ALS.

V.

DELK ET ALS

DECREE

ENTER THIS

1920
Jan 6.
B.O.W.

left this county over fifty years ago, and from that time until now, has never been heard from, and that they are the heirs at law of the said Samuel Johnson, it is ~~ordered~~ Ordered that ~~the Clerk of this Court shall proceed by~~ order of publication against ~~the heirs at law of~~ the said Samuel Johnson in conformity with the provisions of Chapter Dec Thirteen Code of Virginia, as amended, directing ~~them~~ him to appear within ten days after due publication to show ~~cause why the~~ what portion, if any, should be paid to the said amount of ~~eleven~~ hundred dollars shall not be paid them.

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

JOHNSON ET ALS.

V.

DELK ET ALS.

This cause came of this day to be again heard upon the papers formerly read, on the report of Parke P. Deams and E. H. Williams, Special Commissioners, by leave of Court, then duly filed and on the petition of all the parties, plaintiff and defendant in this cause, and was argued by counsel.

It appearing from said report that the said special commissioners had collected eleven hundred dollars from T. H. Massey, the purchase price of the real estate formerly owned by Samuel Johnson, and that they had collected twenty one hundred and twenty five dollars from L. L. Hearn for the parcel of real estate designated as number two, in consideration whereof the Court doth confirm said report, and direct the said commissioners to deposit the said elven hundred dollars into a separate fund in the Bank of Smithfield, to be hereinafter disposed of, and out of the twenty one hundred and twenty five dollars, the Court doth order that the special commissioner shall first pay the cost of this suit, and to divide the balance into five parts and to pay the same to the parties of this cause or their attorneys in the following manner, to-wit: one-fifth to John R. Johnson, Thomas B. Johnson, Mary E. Shelton, Maude Johnson, Jonathan W. Johnson and Missourri Johnson; one fifth to Martha Johnson, the widow, Ernest Johnson, Maggie Johnson, Edith Johnson Walter Johnson and Joseph Johnson; one fifth to Lucy Marchant; one fifth to John Tynes, Garfield Tynes, George Tynes, Maggie Tynes and Mary Pierce, and the remaining one-fifth to Emma Delk.

And it appearing from said petitioners, who are the parties plaintiff and defendant, in this cause and are named in the distribution heretofore mentioned, that one Samuel Johnson

19

Johnson et als

v.

Delk et als.

DECREE

Enter this

1920

Sept 21st

Enter this.

B. Dew.

Copy from 17

P. P. Deans,	Attorney for Martha Johnson, the widow, Ernest Johnson, Maggie Johnson Edith Johnson, Walter Johnson and Joseph Johnson	378.10
P. P. Deans,	Attorney for Lucy Marchant	378.10
P. P. Deans,	Attorney for John Tynes, Garfield Tynes, George Tynes, Maggie Tynes and Mary Pierce	378.10
P. P. Deans,	Attorney for Emma Delk	378.10
		2125.00

The Court doth confirm said report, and it further appearing ~~to the said Court~~ that after due publication, Samuel Johnson does not appear, and it appearing that he has not been heard from in fifty years, the Court doth adjudge, order and decree that the sum of eleven hundred dollars deposited in the Bank of Smithfield, after first paying the cost in this cause, be divided into five equal shares and disbursed in the same manner as the other funds in this cause were disbursed. the parties to whom said money shall be paid, being the parties claiming by, through and under the said Samuel Johnson.

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

Johnson et als.

v. Delk et als.

This cause came on this day to be again heard upon the papers formerly read, on the report of Parke P. Deans and E. H. Williams, Special Commissioners, this day filed by leave of court, to which no exception is taken, on the petition of the parties plaintiff and defendant, on the proof of legal ~~service~~ proven by publication and posting of proper summons by publication on the absent Defendant Samuel Johnson, who has failed, and still fails to appear, plead, demur or answer, the said petition, ~~which is taken for confessed as to him,~~ and was argued by counsel:

in conformity with the provisions of sections 6069, 6070 and 6071 of the Code of Virginia who resides in this State and was not found and has not returned thereto

On consideration whereof, it appearing to the Court from the said report that the sum of twenty ~~two~~ one hundred and twenty-five dollars was disbursed as follows:

A. S. JOHNSON, Clerk's fees	15.00
Writ tax and taxed attorney's fee	16.50
A. S. JOHNSON, Commissioner in Chancery	45.00
R. A. Edwards, Crier	20.00
E. H. Williams and P. P. Deans, commissions as special commissioners	73.50
A. S. JOHNSON, tax account	2.75
D. J. Mood, printing notices of sale	3.50
A. S. Barrett, premium on bond	10.00
H. P. HAYES, witness	2.50
Tom Tynes, witness	2.50
David Tynes, witness	2.50
E. H. Williams and P. P. Deans, preparing deeds	23.00
E. H. Williams for revenue stamps for deeds	4.00
E. H. Williams, paid Suffolk Herald order of publication	14.75
E. H. Williams, Attorney for John R. Johnson, Thomas B. Johnson, Mary E. Shelton, Maude Johnson, Jonathan W. Jhonson and Missiourri Johnson	378.10 615.60

Where a Guardian ad litem is appointed by the Court, it must appear affirmatively, either by the record or by the certificate of the Clerk, that the Guardian ad litem has executed a bond with surety, as required by section 6066 of the Code of Virginia.

18

Johannistal
vs. 3 Sachs.
Sachstals

Bern.

1422
Sept. 26.
Ed. Euler this.
13 D.W.

L.o.B. 8
page 121.

In the Circuit Court of Isle of Wight County

Johnson et als } Complainants.
vs } In Chancery.
Deck et als. } Defendants.

This cause came on this day to be again heard upon the papers formerly read, and it appearing to this Court that the Special Commissioner in this cause have filed no report as required by the decree entered herein on the 21st day of September 1920, it is therefore ordered that said Special Commissioners do, within ten days from the date hereof, file a report of their proceedings under said decree.

John R. Johnson, Jr.,
et als.

vs) MEMORANDUM.

Emma Delk, et als.

Filed Oct 13, 1928

"

ERNEST H. WILLIAMS
Attorney-at-Law
SMITHFIELD, VIRGINIA

To the Clerk

Of the Circuit Court of Isle of Wight County, Va.

----------oOo----------

John R. Johnson, Jr., Thomas G. Johnson, Mary E. Selden, Maude Johnson, Jonathan W. Johnson and Missouri Johnson,.....Plaintiffs.

VS) In Chancery

Emma Delk, Ernest Johnson, Maggie Johnson, Edith Johnson, Walter Johnson, Joseph Johnson, John Tynes, Garfield Tynes, Maggie Tynes, Mary Tynes, George Tynes, Lucy Merchant and parties unknown,.....Defendants.

----------oOo----------

Issue summons in chancery for said plaintiffs and against said defendants to 2nd. October ~~September Rules~~, 1918, to answer the said plaintiffs' Bill in Chancery.

E. S. Williams

p. q.

Yes by Dey! Draw off for a brief

Tan.

E. Moore

the case. The provisions of the four preceding sections shall not apply to the counties of Floyd, Washington, Botetourt, Bland, Giles, Highland, Augusta, Smyth, Craig, Rockbridge, Pulaski and Montgomery.

CHAP. 303.—An ACT to permit females to qualify, give bond and act as deputy clerks in all courts of this Commonwealth; and to validate certain acts heretofore performed by females acting as such deputy clerks. [H B 308]

Approved March 19, 1920.

1. Be it enacted by the general assembly of Virginia, That any female over the age of twenty-one years may be appointed deputy clerk by the clerk of any court of this Commonwealth, and with the consent of the court may qualify and give bond as such, and thereafter perform all of the duties of such office as fully and effectually as if she were a male, and the court shall not refuse to approve any such appointment solely because such appointee is a female.

2. All acts performed by females as such deputy clerks of any of the courts of this Commonwealth since the thirteenth day of January, nineteen hundred and twenty, are hereby declared valid and effective in all respects, if otherwise valid and effective according to the law then in force.

3. An emergency existing, this act shall be in force from its passage.

CHAP. 304.—An ACT to amend and re-enact section 6239 of the Code of Virginia. [H B 418]

Approved March 19, 1920.

1. Be it enacted by the general assembly of Virginia, That section sixty-two hundred and thirty-nine of the Code of Virginia be amended and re-enacted so as to read as follows:

Sec. 6239. Presumption of death from absence.—If any person, who shall have resided in this State, go from, and do not return to the State for seven years successively, he shall be presumed to be dead in any case wherein his death shall come in question, unless proof be made that he was alive within that time. If such absence continue and his whereabouts be unknown for a period of twenty years or more, he shall be conclusively presumed to be dead for the purpose of adjudicating and disposing of any funds in any case pending in a court in which title to real estate or the proceeds thereof shall come in question or be involved, and in such case the rights of the parties shall be determined on the assumption that the supposed decedent is in fact dead. But before any final order or decree is entered in any such cause, in favor of the alleged heirs, devisees or legatees of the supposed decedent, or persons claiming by, through or under them, or any of them, the supposed decedent shall be made a party defendant

in the cause, and an order of publication shall be entered against him in conformity with the provisions of sections six thousand and sixty-nine, six thousand and seventy, and six thousand and seventy-one of the Code of Virginia, so far as applicable.

CHAP. 305.—An ACT to provide for the appointment of a commission to be known as the University of Virginia and Richmond Memorial Road Commission; to prescribe its powers and duties; and to provide for the construction of the University of Virginia and Richmond memorial road.
[H B 213]

Approved March 19, 1920.

Whereas, it is expedient to encourage, by legislation, the construction with funds raised by private subscription, of a road connecting the capitol of the Commonwealth with the University of Virginia, such road to serve as a memorial to the soldiers, sailors and marines of the cities of Richmond and Charlottesville, and of the University, and of the counties of Henrico, Goochland, Louisa, Fluvanna, and Albemarle (through which counties the proposed road will run), who lost their lives in the world war; now, therefore,

1. Be it enacted by the general assembly of Virginia, That a commission be, and the same is hereby, created to be known as the University of Virginia and Richmond memorial road commission, which commission shall be appointed in the manner hereinafter prescribed, shall serve without compensation, and shall have the powers and duties hereinafter specified.

2. The commission aforesaid shall consist of seven members, appointed by the governor, one of whom shall be selected from the city of Richmond, one from the city of Charlottesville, and one from each of the counties of Henrico, Goochland, Louisa, Fluvanna and Albemarle. The commission shall elect one of its members chairman and another secretary.

3. The said commission shall have authority to solicit and collect subscriptions from citizens of this Commonwealth and others for the purpose of raising a sum of money sufficiently large to construct the memorial road mentioned in the preamble of this act, which road shall be located as follows: From the city of Richmond, via the Country Club near said city to the right, thence via Oilville, East Leake, Hadensville, Shannon Hill, Moccasin Gap, Zion, Boyd Tavern, to University of Virginia, now known as the "Three Chopt" road.

4. It shall be the duty of the University of Virginia and Richmond memorial road commission safely to keep all moneys collected by it in pursuance of this act, and each member of the commission, on his appointment, shall execute a bond, approved by the attorney general, payable to the Commonwealth in the sum of one thousand dollars, conditioned upon the faithful discharge of his duties and a proper accounting of all funds coming into his hands. The bonds aforesaid shall be filed with the secretary of the Commonwealth. All moneys received by the commission, or any member thereof in pur-

Virginia: In the Clerk's Office of the Circuit Court of the County of Isle of Wight the 12th. day of April, 1920, this bond was duly executed and acknowledged by the obligors to the same and ordered to be recorded.

Teste, A. S. Johnson, Clerk.

A copy,

Teste, A. S. Johnson Clerk.

10

Johnson, Jr. et als.

vs) Chy. No. 288.

Delk et als.

Copy of Comr's Bond and Clerk's cert..

Filed April 12th.1920.

Copy of certificate of execution of bond:

Virginia: Clerk's Office of the Circuit Court of the County of Isle of Wight April 12th. 1920.

I, A. S. Johnson, Clerk of the Circuit Court of the County of Isle of Wight, do hereby certify that the bond required of Parke P. Deans and E. H. Williams, Special Commissioners in the suit in chancery in said court pending styled John R. Johnson, junior, and others vs. Emma Delk and others, entered April 5th. 1920, has been duly executed.

A. S. Johnson, Clerk.

KNOW ALL MEN BY THESE PRESENTS, that we, E. H. Williams and Parke P. Deans, principals, and American Surety Company of New York, surety, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of two thousand 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 said office or trust for which this bond is given, with coupons detached from the bonds of this State.

In testimony whereof, the said E. H. Williams and Parke P. Deans, principals, have hereunto set their hands and seals, and the said American Surety Company of New York, surety, by A. S. Barrett (countersigned by A. S. Johnson) 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 A. S. Barrett, its said agent and attorney in fact, this the 12th. day of April, 1920 .

The condition of the above obligation is such, that if the above bound E. H. Williams and Parke P. Deans, appointed special commissioners in the suit of Johnson et als. vs. Delk and others, in chancery, Docket No. 288, by decree entered therein on the 5th. day of April, 1920, shall, according to law, discharge and prform the duties required of them by said decree and any future decree entered in said cause, then the above obligation to be void, or else to remain in full force and virtue.

By the Circuit Court of the County of Isle of Wight,

E. H. Williams, (SEAL)

Parke P. Deans, (SEAL)

AMERICAN SURETY COMPANY OF NEW YORK

By A. S. Barrett, its duly authorized agent and attorney in fact.

Mr. R. A. Edwards, Clerk,
Cir. Court of Isle of Wight Co.,
Isle of Wight,
Va.

From Mrs. Cooke
420 Hancock St.
Bklyn.,
N. Y.

420 Hancock Street,
Brklyn., N. Y.
Nov. 18th 1946.

Mr. R.A. Edwards
Dear Sir:- Your very kind letter received.
I just managed to find out what the names of my Grandparents were.
Grandfather's name was
John Robert Johnson
Grandmother's name was
Margaret Johnson.
My late father's name was
Thomas Henry Johnson, son of the above parties.
My mother's name was (maiden name Gadling)
Martha Anna Johnson.

my Cousin's[3] as she was an only Child, naturally she would receive more. She that we had received our share as some of the Cousins did the same time as she did. I am just hearing about it, so I would be deeply grateful to you if you could help me out in this matter. I have been confined to the house with a crippled leg since Dec 1945 until April 1946 when I went to a Hospital here and stay'd until Aug 1946. I had to undergo 5 or 6 Operations and finally had a Plastic Job done. As I said I must put me only

My oldest brother's name was
Ernest Linwood Johnson (deceased)
Widow's name is Henrietta Johnson
another brother's name was
Thomas Walter Johnson (deceased)
Widow's name is
Hattie Johnson
another brothers name is
Joseph Ephraim Johnson
my sisters name (my twin) (deceased)
was Edith Adline Johnson (single)
My name Margaret Anna Johnson
My Grandfather's name (on my mother's side
I never knew,
My Grandmother's name was
Eliza Gadling
all of us were born in Orange, New Jersey
I was born February 27th 1884
I wrote my brother Joseph about the matter;
he lives in East Orange N.J. He said
he didn't think that anything could
be done about it, but I could write to
you and see. Since there were more
children in my family than in

2/2 rec
1/10 ea
0 22 rec

Part Time. on the Land. You see if there is money due me I could use it as I am in need of a Waterproof Coat and other things as I have to travel back and forth to work every day, and Part Time does not give me much chance of saving the money for these things.

I thank you very much for being so gracious and willing to help me. since I am so far away.

Awaiting your reply at your earliest convenience I remain, Respectfully Yours Margaret Hutson Cooke