

1870-012

HAMPODEN P. PINNER VS JULIA AGNES PINNER ET AL

1870

NANSEMOND COUNTY
(SUFFOLK)

CHANCERY CAUSES

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY,—GREETING :

YOU ARE HEREBY COMMANDED TO SUMMON *Julia Agnes Pinner, James A. Pinner,*
Arthur Pinner, Fillmore Pinner, Charlie Pinner and Julia A
Pinner: The last five, under Twenty-one years of age.

to appear at the Clerk's office of our *Circuit* Court for the County of Nansmond, on the
first Monday in *August* next, 1870, being rule day, to answer a bill in chancery,
exhibited against *them* by

Hamphden P. Pinner

and unless *They* shall answer the said bill by the
next rule day thereafter, the Court will take said bill for confessed, and decree accordingly. And
have then and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this

8th day of *July* 1870, and in the *95th* year of the Commonwealth.

Peter B. Prentis Clerk.

Executed July 2 1870 & a true Copy hereof
delivered to Julia Agnes Pinney, — all the
other within mentioned names under twenty
one years of age

Wmth H. Eley D. S.

Kilby p. 9
Hampden P. Pinney

24 }
Sum^r in Chy.

Julia Agnes Pinney Val

To August Rules 1870

Pro: B. No: 1. Page 51
C. W. Co.

Virginia

All Rules held in the Clerk's Office of
the Circuit Court of Hansemond
County on Monday the 1st day of
August 1870.

Hampden P. Turner Complainant

against ³ In Chancery

Julia Agnes Turner, James H. Turner,
Arthur Turner, Fillmore Turner,
Charlie Turner and Julia A. Turner:

the last five, under Twenty-one years
of age Defendants.

In the Motion of the Complainant by Counsel, Peter
B. Prentiss, is appointed guardian ad litem to defend
the infant defendants, in this suit, and it is ordered
that notice be given the said guardian, by serving
on him a Copy of this order.

Esse,

Peter B. Prentiss. Clerk

1870. August 1st: I acknowledge service of the above
order, and that I have received a copy of the same.

Peter B. Prentiss.

gon: ad litem

Hampden P. Penner

vs } order apptg. god: as
litam

Julia Agnes Penner Hale

The Depositions of R. N. B. Deason
and M. M. Kelly

Taken on this 10th Day of October 1870 at
the office of John R. Kelly, in Suffolk
Va. between the hours of 8 a. m. to 6 p. m.
of that day to be read as evidence in the
Case of Hampden P. Pinner Jul. N.

Pinner and others, now pending
in the ~~County~~^{County} Court of Nansemond County
Taken ~~for~~^{by} ~~consent~~^{Consent} of parties ~~and~~^{and} ~~noting~~^{noting}.

Resaid R. N. B. Deason (and
M. M. Kelly

being duly sworn, say that they are well
acquainted with the "Aspen Grove Farm"
belonging to the estate of Jeremiah
Pinner dec'd, containing ~~148~~ acres,
more or less. That it is situated
about two miles from Churchateuch on
the County road leading from Churchateuch
to Suffolk, and adjoining the other
lands of said Jeremiah Pinner dec'd
called the "Beulah Tract" and the lands
of Dr. Edw^d. Butler's estate - to-wit

That in the opinion of the
undersigned, the ~~said~~^{of said place} sale, is
very proper to be made, as the said
Jeremiah Pinner left a widow & 6 children
& three tracts of land & but a small estate

otherwise; That the said children
have not the means to be educated
& properly taken care of except by a
sale of a part of the lands aforesaid
(and that the said "Aspen Elm farm"
can better be sold ~~that~~ and spared than
any of the other lands).

That a sale recently agreed on
by Mr ^{Julian} ~~James~~ Primes on behalf
of himself & children to Mr
Abner Kelsey for Two thousand
dollars, cash, is in the wise & judicious
interest of the said heirs & ought
to be ratified & confirmed.

signed

R. H. B. Denson
J. M. Killy

Sworn to before me John R. Killy
a Notary Public in the said County
I do certify that the said signature
was taken as above set forth
John R. Killy N. P.

Pinner Jr.
or 3 sep.

Pinner Jr.

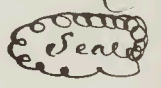
1870. Octo. 10th Filed
C.K.

670 L 720
S. 2

Pursuant to the Authority conferred on me, by law, I do hereby, in vacation, appoint A. C. Withers a Commissioner in Chancery for the Circuit Court of Nausemond County, with full power and authority to perform the duties of his said Office, upon his taking and subscribing the oaths required by law.

Given under my hand and seal, this 29th day of April, in the year Eighteen Hundred and Seventy.

Geo P Brown Jr
Judge Se.



Virginia - Nausemond County, to wit:

I, John R. Kilby — a Notary Public in and for said County and State, do certify that Austin C. Withers above named, personally appeared before me, and took and subscribed the several oaths required by law.

Given under my hand, this 30th day of April 1870.

John R. Kilby
Notary Public

A. C. Withers
Apprent. & Qualific.
as Comm^r in Chy:

1870.
Octo: 12th. Entered of record.

State of Virginia. Nausmond County, to wit:

I, A. C. Withers do declare myself a Citizen of
The Commonwealth of Virginia, and do solemnly swear,
that I will support and maintain the Constitution
and Laws of the United States, and the Constitution and
Laws of the State of Virginia, that I recognize and
accept the Civil and Political equality of all men
before the law, and that I will faithfully perform the
duty of Commissioner in Chancery to the best of
my ability. So help me God.

Sworn to and subscribed
before me, this 30th day of
April 1870

John R. Kilby
Notary Public

A. C. Withers
" " " " " "

State of Virginia - Nausmond County, to wit:

I, A. C. Withers do solemnly swear that I have
never taken an oath as a member of Congress, or as an Officer of
the United States, or as a member of any State Legislature, or
as an Executive or Judicial Officer of any State, to support the Con-
stitution of the United States and afterwards engaged in
insurrection or rebellion against the same, or given aid or
comfort to the enemies thereof. So help me God.

Sworn to and subscribed

before me, this 30th day of
April 1870.

John R. Kilby
Notary Public

A. C. Withers
" " " " " "

The joint and separate answer of James H. Arthur, Fillmore,
Charlie and Julia A. Penner, infants, under the age of Twenty-
one years, by Peter B. Prentiss, their guardians ad litem, to a Bill
in Chancery exhibited against them and Julia Agnes Penner, by
Hampden P. Penner, in the Circuit Court of Hampshire
County:

These Respondents, answering, say, that so far as they know or
believe, the facts set forth in said Bill are true, but, as
they are ignorant of their rights, being infants, they submit the same
to the Court, and pray that no order or decree may be made
inconsistent therewith

(Signed)

Peter B. Prentiss

Gds. ad litem

Hampden P. Penier

to { ans. of infants

Julia Agnes Penier Sal.

To the Hon. Geo. Blow, Jr. Judge of the
Circuit Court of Nansemond County.

Complaining shew unto the Court
your Complainant Hampden P. Pinner.

Your Complainant respectfully
represents to the Court and says, that
Jeremiah Pinner of said County, died
on the day of 18 , Intestate,
leaving as his heirs at Law and
distributors, his widow, Julia Agnes
Pinner, & Hampden P. Pinner (your Complain-
ant), James H. Arthur - Fillmore -
Charlie & Julia A. Pinner, his children,
the last five being under twenty one
years of age.

Your Complainant says that
at the death of his father (the said Jer-
emiah Pinner) he left three farms in
Nansemond County, known as "Pembroke"
"Aspen Grove" and the "Serrill farm" all
containing about six hundred & sixty nine
acres, besides a number of negro slaves
& some chattle estate - That the decedent's
children were all small at his death
and have been raised their fees, by their
mother, from such resources as she owned
Command, which resources no longer
exist - That the income from these lands,

after the payment of taxes, repairs &c. is very small & inadequate to secure & clothe & maintain the said widow & children,

That the said children are now at that age, requiring education, and in order to educate them, & clothe & support them, a sale of a part of their land, is absolutely necessary.

That a fair sale of one of said farms, to wit: the "Aspen Grove" ^{and ~~one~~ hundred ~~acres~~ ^{and ~~one~~ hundred ~~acres~~ ^{more or less}}} place, can, it is believed be made and a contract has been entered into conditionally, by said ^{Julia} Agnes Pinner with one Abel Kelsey to see the said place taken for two thousand dollars cash -

In consideration whereof &c, this Court can grant adequate relief;

To the end your Complainant prays that the said Julia Agnes Pinner (widow) and James H.; Arthur; Fillmore; Charlotte; & Julia a Pinner, the last five being under twenty one year of age may be made defendants hereunto & answer the allegations herein - That the "Aspen Grove" farm aforesaid may be sold as aforesaid, and that all further relief may be granted Com-

Sistent with Equity, &c.

John R. Kilby p-v.

Killy p. v

Hamden P. Primes

n. } Rice

Julia a Primes

Sal:

Circuit. New? Co.

Hamphden P. Pomeroy

vs E. Chy: Nels

Julia Agnes Pomeroy & al

1870. July 5th: Sumner Chy: issued

" Aug: 1st: Bill filed - & conditional decree vs adoll -
defendant (Julia Agnes Pomeroy)

" " " P. B. Prentiss, appointed guardian ad litem to infant defts:
who filed their answer, to which there was a general submission,
and cause set for hearing as to them.

" Sept: 5th: Conditional decree confirmed & cause set for hearing
on Mo. of P.M.'s Counsel.

" Octo: 10th: Depositions filed. (12th) Dismissed

Chy. Notes